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NARRATIVE

OF THE

PROCEEDINGS OF THE JUDICATORIES

OF THE

REFORMED CHURCH IN NORTH AMERICA,

RELATIVE TO

THE REVEREND DAVID GRAHAM.

"These principles and proceedings, odious and contemptible as they are, in effect are no less injudicious. A wise and generous people are roused by every appearance of oppressive, unconstitutional measures, whether those measures are supported only by the power of government, or masked under the forms of a court of justice. Prudence and self-preservation will oblige the most moderate dispositions to make common cause even with a man whose conduct they censure, if they see him prosecuted in a way which the real spirit of the laws will not justify.".....*Junius.*

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TO THE
CITIZENS OF PITTSBURGH,
AND ITS VICINITY,
WHO WERE SPECTATORS AND AUDITORS OF THE GREATER
PART OF THE PROCEEDINGS
RELATED IN THE SEQUEL,
THIS NARRATIVE

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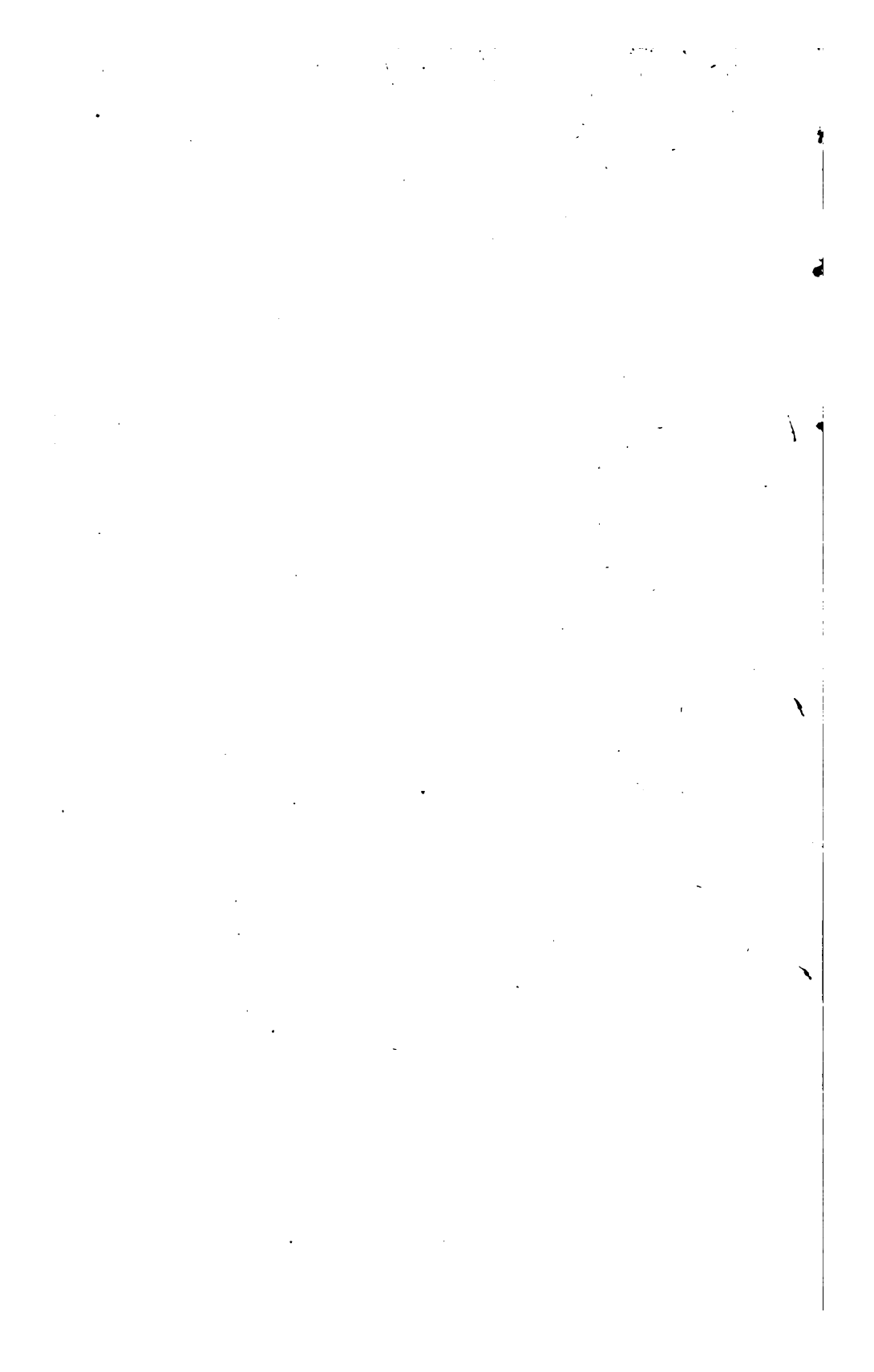
BY THEIR

MOST OBEDIENT,

AND DEVOTED SERVANT,

THE AUTHOR.

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PREFACE.

THE object of this publication is to give a correct statement of the proceedings of the Reformed Church in America, relative to Mr. Graham. The author was not at liberty to choose that species of composition which he might conceive most congenial to his own taste. The historical manner necessarily imposed itself upon him, being alone adapted to conduct to a knowledge of facts, by a regular and connected detail. In accounting for facts, which is the province of an historian, he has indulged himself sparingly. The facts are recent, and generally speak for themselves. To many of them is applicable the assertion of the eloquent apostle, in his defence before AGRIPPA: "These things were not done in a corner." The excellence of a narrative, being in proportion to the correctness with which it copies facts, the author has kept this rigidly in view. Frequent references are had to the proceedings of the Irish Presbytery. These are not dragged into the narrative, and interwoven with it, at the pleasure of the author. They constitute a part of the original proceedings, and must, of necessity, appear in the copy. The epistolary method has been adopted, as best suited to give a familiar representation of facts, and to facilitate the perusal, without breaking the unity of the narrative. Aware that a prosecution of this kind, however interesting the materials, or elegant the execution, expires with a day, the author has paid little attention to its embellishment. Nothing could exceed the hurry with which it has been published. Numerous and pressing avocations, rude and imperfect materials, public anxiety, the harshness and discordancy of the subject upon the feelings of the writer, and the incessant spur of the compositor, have combined in hastening these sheets before the public, with all their imperfections. Several repetitions, and perhaps apparent contradictions, may appear. The similarity of the subject, discussed in different judicatories, will account for the repetitions. The apparent contradictions are to be ascribed to the difficulties attending the execution. Each separate sheet, soon as written out, went to press, and it was not until the whole was published, the writer had an opportunity of contemplating the parts, united as a whole. Should the

S. W. B.

PREFACE.

witnesses, or any others, complain of the brevity of any part, it is a hopeless case. The writer wished to give every satisfaction. He has been so solicitous to effect this, as to endanger the sale of the publication, by swelling it into an unusual pamphlet-size. To have done more, might have occasioned serious embarrassment. No person can be more sensible than the writer, that the Narrative is deficient in some instances, redundant in others, and inelegant in all. Its abruptness at one time, and insufferable prolixity at another, he has reviewed with concern. Should it be attacked upon principles of taste and criticism, the author will not undertake to defend it; but as a rude and faithful portrait of original facts, he holds himself bound, on all proper occasions, to appear its advocate.—No apology, surely, will be required for the production itself. It has, it is true, an individual for its subject, but the rights of that individual are the rights of humanity. He has been long tormented and abused by a few obscure and perverse individuals. He has at length wrested himself from the grasp of his oppressors, and lodged his appeal with his God. He has thrust himself upon the attention of an impartial public. To this redresser of human wrongs, under God, he has long and anxiously looked forward, hoping in its presence to abash his adversaries. Here he has taken his stand, in the presence of God and the American people. Above is the banner of liberty; lo, how it waves! The generous eagle perches above his head, and the propitious stars shoot a gladdening ray. Here he intends to hold up to public execration, those deeds which were perpetrated in secret, and, in justice to himself and his fellow-men, to have them read, and reviewed, and reprobated. If any thing can screen the measures adopted against him from this fate, it will be the obscurity of those who concerted them. This is to be regretted. To fall bravely is the consolation of a good and great man, but to perish in secret, under the assassinating knife of a coward, gives a keenness to the edge of anguish.

NARRATIVE.

LETTER I.

I have every where seen confederacies of various sorts, and I have always found in them the same species of men. They march, it is true, under standards of different colors ; but they are always those of ambition.

ST. PIERRE.

MY DEAR FRIEND,

AT your request, I shall proceed, at intervals, to give you a Narrative of the proceedings of the Reformed Church in this country, as they respect Mr. Graham. You are already sufficiently acquainted with his manner of life from his youth ; his standing with the Secession Church ; his declining that communion ; his application to the Reformed Church in Ireland ; the treatment he met with ; the manner in which he emigrated, and the footing on which he appeared on his arrival in America. With his own proceedings, and the proceedings of his brethren towards him, both in Ireland and America, since his arrival, I profess myself intimately acquainted. The facts which I know, I propose faithfully to narrate, leaving it with you, to judge between Mr. G. and his brethren.

Before I enter upon the narrative, it is necessary I should introduce you to an acquaintance with the pastors of the Reformed Church in America, who are to make the principal figure in the piece. These are the Reverend Messrs. Gibson, Donally, Williams, M^cMaster, Black, Wylie and M^cLeod, who, in 1808, when Mr. G. arrived, constituted one presbytery, their highest judicatory.

GIBSON had formerly occupied a congregation in the north of Ireland, but owing to his indiscretion in *bearing a testimony* which, in his mouth, consists in a virulent and unedifying opposition to constituted authorities, he was compelled to emigrate. This gentleman's disposition has not, in the least, been affected by change of climate. With equal vociferation and virulence, he continues to inveigh against society in every form, and is equally unfortunate in provoking the resentment of his fellow men. He furnishes an example, that no modification of society can allay a turbulent spirit. His general indiscretion, has prevented him from acquiring any influence in the management of eccle-

siastical affairs. Unqualified, both by disposition and circumstance to maintain his independence, his place has of course, been surrendered to his brethren. You can hardly conceive a more humbling sight, than this hoary headed senior, standing up in one of their judicatories, delivering his opinion. The Inquisition could not be supposed to excite a greater panic than he appears to feel, lest he should interfere with the judgment of any of his brethren, and by this means provoke their animadversion.

DONALLY's character is little known, owing to his local situation, which renders it impracticable for him to co-operate with his brethren in the government of the church. It is said he is possessed of an independent mind. Perhaps the encomium is the more profusely dispensed, that he has seldom an opportunity of displaying his independence. Nothing would sooner dispose me to suspect him destitute of this inestimable quality, than the declaration of his brethren, that he possesses it. I dare affirm it, that merit among these people, is in an inverted proportion to their commendations. Nothing is so formidable to a despotic faction, as genuine independence of mind; nothing more delectable, than a tame and abject disposition. From the one they have every thing to fear; from the other every thing to hope. It becomes their interest to confound distinctions, and metamorphose character. They commend where they ought to censure, and they censure where they ought to commend. They hold up a *perverted* medium, through which they call upon the people to contemplate human character. These are credulous enough to imagine, they have apprehended it distinctly, never dreaming of the imposture that is put upon them by influential characters, in whom they implicitly confide. In no community, perhaps, is this drivelling and contemptible practice more prevalent, than the one which is the subject of these strictures. It infallibly indicates a corrupt constitution, and a policy which would degrade even a civil community; but which becomes utterly detestable in a gospel church.

WILLIAMS is deficient in genius and learning. By despotic measures he has been thrust upon a congregation, destitute of almost every ministerial qualification. He is exceedingly acceptable to his brethren, who, regardless of his fitness to serve in the gospel of God's Son, find it convenient to give some weight to a character, which they are certain to turn to their own advantage. He is too glaringly deficient, to hazard an encomium on his talents; but they have adventured to pronounce him a perfect prodigy for piety. With his piety I have nothing to do; it is not a proper subject for criticism—but this I dare say, *Williams* would never have degraded this aspiring community, but for the *unresisting* and *eternal compliance* with the measures of his brethren, which the indolence of his constitution abundantly presaged.

M'MASTER possesses parts above contempt; but these have languished for want of cultivation. At an unseasonable period of life he commenced an education, which can scarcely be said to merit the name *liberal*. With swollen and clamorous pretensions to independence of mind, and a few hackneyed phrases, such as, *force of mind, force of character, vigour of intellect, independence, &c.* he is one of the most complete dupes you have ever witnessed. His little mind has crept forth like the tendrils of a French bean, and clasped itself round one of his brethren, in whose presence he cannot command a single thought, that is not stamped with the venality of a slave. His body alone is his own; that is M'Master; all the rest is borrowed.—Under such incumbrances as GIBSON, WILLIAMS and M'MASTER, any community would groan. Should it, in its virtuous struggles for its rights, look up to such characters, it looks in vain. Persons of this description, like articles vended in market, always become the property of the highest bidder. Although by the constitution of the Presbyterian church, they have confided with them an equality of power; they have neither inclination nor ability to preserve it. It is more congenial to their disposition to secure inglorious ease, by parting with their power and independence, than to struggle against the encroachments of ambitious brethren. Their incapacity to appreciate the value of the power they possess, or what is worse, to use it with discretion and firmness, throws the principal weight of authority into the hands of a few, and introduces despotism. Owing to such drivellers, the rights of the community are prostrated at the feet of restless and unprincipled individuals.

BLACK, WYLIE, and M'LEOD, commenced preachers together. The whole business of the community devolved upon them for some time, without even *nominal* aid. This, with their contiguity of situation and frequent intercourse, has given them all the influence of a *little triumvirate*. They have engrossed the power, and continue to manage exclusively the affairs of their church. The two former are, however, rather *nominal* than *real* rulers. At the most, they act as a check upon M'LEOD, who, with more ambition and intrigue than all his brethren together, has rendered himself nearly absolute.

BLACK is a mere creature, possessed of small talents, a large quantity of pedantry, and a sophistical turn. In the art of quibbling he ranks high, and bears off the palm from all his brethren for buffoonery. He is one of your clamorous and verbose gentlemen, who seem to think wisdom consists in much speaking, and erudition in loquacious pretensions to it. He is, perhaps, more deficient in taste than any of his brethren, and is not troubled with too nice a sense of honour. He is one of the many who feed with a rancorous rapture on the catalogue of others' distresses, and is perpetually agonised by envy, jealousy, and the other

ghostly spectres which unceasingly haunt a little mind. Having a large proportion of the community allotted exclusively to himself, and endowed with a sonorous voice, and an eternal flutter of speech, he has acquired considerable popularity; but with as little real esteem or conviction of personal worth, as can well be imagined. He has not been outstripped by any of his brethren, for an illiberal treatment of his people, or an illegal and capricious use of power to gratify his passions, or bitter invectives against other communities. Although accustomed to play the despot at home, he is exceedingly tame and complacential abroad, and is perfectly contented to resign all pretensions to a knowledge of the management of ecclesiastical affairs. These he tamely surrenders to W—— and M'L——, who flatter him in return, by laughing immoderately at his buffoonery, and employing him to write out their transactions. Not unfrequently, however, they pounce upon him, and consign him to that state of degradation, to which he appears to have been *constitutionally* allotted.

WYLLIE is a man of acquisitions, rather than natural powers. He is indebted, for superiority over his brethren in a knowledge of science, to indefatigable application, rather than to any original superiority of genius. In that knowledge which is indispensably requisite in preaching the gospel, I mean theology, humanity, and *belle lettres*, he is unusually deficient. An academy occupies his principal attention—ministerial duty being only a secondary object with him. Unskilled in the management of church affairs, he discovers the imperiousness of an ecclesiastic, without the sense or the demeanor. When he appears in a judicatory, he discovers more of the schoolmaster than the presbyter, constantly judging and deciding with the austerity of an academical disciplinarian. There is no man more a slave to his passions, although none with higher pretensions to the dignified government of intellect. Attack him on the side of sensibility, and he is alike easily flattered, cajoled, irritated and soothed. His is not the generous attachment of the man of honor, nor the stately indignation of a noble mind; but the fickleness of a coquette, with the peevishness of age, and the resentment of a termagant. His attachments exhaust themselves in flattery; and his aversion in low scurrility. This imbecility of character, with an exclusive attention to secular pursuits, give M'L—— a decided superiority over him, although much his inferior in literary acquisitions. Composed of such materials, and thus circumstanced, he ceases to be an object of emulation, and becomes an instrument too inviting not to be played upon by men of cunning and address. M'L—— is perfectly able to appreciate all this, and unceasingly practises his intrigue upon him. Sometimes the matter is managed so palpably, that W—— takes the alarm, and storms and rages no little; but, in general, it is conducted

with a *finesse* which bids defiance to detection. From these delineations of W——'s character, which I dare say will be found correct, little, beneficial to the community to which he belongs, is to be expected. His caprice disqualifies him for any thing which requires resolution and perseverance. This is not the worst. He has pride enough to project, although he has not energy to execute. Let another set his limits, let them be such as he cannot easily transgress, within them let him be put in motion and propelled by his feelings, and while they remain intense, he will execute with despatch; but let W—— coolly discuss, and proceed rationally to execute, and he will inevitably desert his undertaking. With all his attainments, were it not for the occasional interposition of more discreet counsels than his own, W——'s measures alone would have been sufficient, long since, to have sunk the community. It is rather surprising that his brethren, who are perfectly aware of all this, should have permitted W—— to act such a conspicuous part in the prosecution of Mr. G. But it was a desperate case. As M'Leod expressed himself, "the matter was at issue between Mr. G. and the church, and one must fall." It being a venture, where so much was hazarded, every circumstance required to be in proportion. To place at the head of the prosecution a desperado, was perfectly congenial to the undertaking. It will be a lasting monument of the courage of W——, and may not improbably convey a high opinion of his spirit and enterprise.

M'LEOD possesses more energy of mind than any of his brethren, but it is the wildness of genius, untutored and unchecked by cultivation. He labours under all the disadvantages of a superficial education, and uniformly mistakes pedantry for learning. The resources of his mind are very considerable; but, as might be expected, they are wasted for want of being placed under the direction of a cultivated taste. He is possessed of a consciousness of his superiority of talents, which, added to a sottish self-sufficiency, a stoical apathy, an unconquerable rudeness of manner, and false views of magnanimity, impress a conviction, that he is destined to occupy a high standing in a community, where such things are in high demand. Ambition is his ruling passion. The general imbecility of his brethren concurs with his own policy to place him at their head. He is much more of the politician than the ambassador of Christ, and owes his superiority over his brethren, not to a reputation for eminent piety, but to manoeuvre and intrigue. You have, perhaps, never seen a more perfect disciple of *Machiavel*. His directing principle, from which he never departs, is, that the end once proposed must be gained. If fair and honorable means accomplish it, it is well; if not, there are other resources, of which he does not hesitate to avail himself. You will, perhaps, hear with surprise, that this gentleman, although a professed minister of Christ,

practises upon human nature as he finds it, to gain his own purposes, with as little reserve as a minister of the Dey of Algiers, and appears as little concerned to have human nature regenerated ; and that this practice, although most detestable in a minister of Christ, is regarded by his brethren as his principal excellence, and, therefore, worthy of imitation. They have found out, that it is the great secret of ruling successfully, and to govern, being the rage with these gentlemen, that they should take the hint with avidity, or practice upon it to the extent of their several capacities, is not to be wondered at. In a word, McLeod has prostrated the community. To effect this, he studies to keep himself disengaged from every pursuit which might interfere with his ecclesiastical plans ; and seems to have but one object, which he steadily keeps in view, to extend his own influence, in proportion to the growing extent of the community. A church about to be organised in a widely extended continent, and under plausible pretensions to superior purity of principle and practice, was an object which this man's ambition must have seized with avidity. To engross this object, no expedient is left unes-sayed. While he contrives to be employed to write out systems for the people, he exerts his policy no less effectually, in dragging the influence of his brethren within the vortex of his own. No community has ever hastened with more rapidity to the absolute government of one. It is a despotism in miniature. If you except the open avowal of the infallibility of a man, you will find in its government every other essential of popery. And although this doctrine is not so glaring, as to become an article of their creed, it is, in effect, maintained. The judicatories of this church insist, in the most unqualified manner, upon submission to their decisions, threatening punishment to any who may question their legality, and positively refusing to admit the people to have recourse to the usual expedients, for the exoneration of conscience, such as protest, expostulation, or remonstrance. Only admit what can be demonstrated, that their judicatories are under the influence of one man, and that their decisions are no more than his dictates, stamped with the mere form of Presbytery ; that these decisions are enforced upon the people, without respite or qualification, on pain of church censure ; and you have one of the most perfect ecclesiastical despotisms, not excepting popery itself. This is conceived by these gentlemen and their deluded adherents, to be the *ultimatum* of discipline. This, however, may be questioned, since there are thousands of slaveholders in the United States, who enforce their mandates with at least as absolute an authority, and are so tenacious of their pre-eminence over their uncomplaining slaves, that they deign to converse with them only upon the end of the whip.

I have thus introduced the subject, with a brief sketch of the characters of those who compose the judicatories of this com-

munity. I have regarded them chiefly in the light of rulers. With this view of them alone, the following narrative is concerned. Having ascertained the characters of the rulers in this body, it will serve to explain the detail of facts which follows. From what you know of the dispositions of Mr. G. his aversion to despotism, his candor in stating his opinions; in short, his constant wish to think and act for himself; you will readily infer, that so soon as these dispositions were shewn, he must have been very unacceptable to such gentlemen as are described above. And that they finding him equally inflexible to either intrigue or despotism, should have contrived to reduce him with the public, and finally to divest him of his office, is as natural, as that any given cause should produce its effect.

Yours, &c.

LETTER II.

MY DEAR FRIEND,

HAVING made you acquainted with the gentlemen who are principally concerned in these strictures, I proceed to the narrative. On the second of August, 1808, Mr. Graham arrived with his family in New-York. He had sailed from Gravesend, in England, on the 12th of June, after a stay of about six months in London. Immediately after his arrival, a kind Providence placed him, in the character of tutor, in the family of Peter Jay Munro, Esq. With this gentleman he remained until the November following; when, by the friendly aid of Mr. Munro, he procured a valuable school in the city. Mr. Graham having understood that a committee of the Presbytery of the Reformed Church was to meet at the celebration of the Lord's Supper, at Coldenham, wrote a letter, addressed to the committee, wishing to be taken under the protection of the Reformed Church. The committee acceded to his wish, and despatched an official letter to Ireland, to obtain requisite documents respecting him. In the interim, God countenanced his exertions as a teacher. Some of the most respectable and influential characters in the city became his patrons, particularly the Honourable De Witt Clinton, Mr. Munro, Mr. Catline, Mr. Lynch, &c.

Mr. Graham, perceiving that Providence smiled upon his efforts, conceived a wish to remain in the character of a teacher, until he should liquidate the small sum of debt which he had left

unpaid in Ireland. This he suggested to some of his brethren, who did not give it their approbation. They appeared extremely solicitous that he should resume his office, and decidedly opposed every measure which might interfere with his application to be restored. About the 1st of January, 1809, Mr. Wylie visited New-York. He called upon Mr. Graham, heard his history, acknowledged his admiration of the Providence which had conducted him to America, and solicited him to apply for immediate restoration. Mr. G. began to think seriously of resuming his office. The ardor which Mr. Wylie had inspired, was still more enflamed by his letters, which immediately followed. One of them, which is dated from Philadelphia, March 24, 1809, is as follows:—

*"My dear Sir—*I received your letter about a week ago. I attended to its contents. I remain precisely of the same mind with regard to your affairs, as I was when I had the pleasure of seeing you. The adjustment will be no difficult matter. With, or without documents from Ireland, I am inclined to believe it will terminate in the same way. You will meet in the month of May, brethren, whose hearts glow with affection, and whose understandings are unprejudiced against you. I expect nothing but unanimity in the matter. I hope you will make no engagements in the teaching line, or any other, which would interfere with your coming on at our next presbyterial meeting."

Similar professions of friendship, and solicitations for Mr. Graham's restoration, were expressed by Mr. M'Leod. This gentleman, owing to his residence in the city, had frequent opportunities of conversing with Mr. Graham. He warmly counselled him to relinquish every pursuit which would interfere with his restoration to the ministry—remonstrated against his proposal to continue in New-York, until he should be able to liquidate his debts; and not unfrequently insinuated his fears, both in public and private, lest Mr. Graham should sacrifice his office to some more lucrative employment.

Nothing was more dear to Mr. Graham's soul than the office of the ministry, of which he had been divested. He longed to resume it, but he wished to resume it honorably. He knew this to be best effected by liquidating those debts which had been dwelt upon so invidiously by his enemies. He would have preferred teaching until that should have been accomplished. But the fascinating charms of his office, with the persuasive eloquence of his brethren, overcame him, and he determined to embrace the first opportunity, to humbly supplicate the judicatories of the church, that his office might be restored.

In the month of May, 1809, Mr. Graham appeared before the Reformed Presbytery, which met in Philadelphia. He professed it to be his wish to continue under the protection of the church, and to be dealt with in order to restoration. All the materials

requisite to enable the Presbytery to deliberate, were now in their possession. The Irish documents had arrived, and Mr. Graham was present to answer interrogations, and to explain, when either should be deemed necessary. With these advantages, the Presbytery proceeded to discuss and decide. They sustained the act of deposition inflicted by the Irish church, heard explanations from Mr. Graham, sustained his prayer for restoration, inflicted presbyterial censure, restored him to the standing of a private member, and proceeded to take measures towards his restoration to his former ministerial standing. A committee was appointed to meet in August for this purpose.

Mr. Graham returned to New-York, and resumed his school. He had the satisfaction to learn by letter from his brethren in different parts, that the late decisions of Presbytery were peculiarly gratifying upon reflection. They appeared to look forward with unusual solicitude, to the appointed meeting in August. Mr. Graham's feelings gladly mingled with theirs. He congratulated himself upon the unsolicited and fervid affection of his brethren. He regarded it as a welcome harbinger of peace and comfort, which he had hitherto eagerly sought for in that connexion, but which he had sought in vain.

On the 12th of August, 1809, pursuant to the appointment of the Presbytery of May, the committee proceeded to restore Mr. Graham to the office of the holy ministry. His engagements in New-York continued to oblige him until the November following. Notwithstanding his restoration, therefore, he continued to teach. Meanwhile he was appointed by the committee who restored him, to supply the congregation of Mr. McLeod during an absence of some weeks, on Presbyterial business. Here I fix the date of that series of persecution, which Mr. Graham has, since that period, sustained. Its origin was, to external observation, nearly imperceptible, but it gradually developed itself. It grew up amidst rotten professions of friendship, subtlety, and intrigue, which for a time concealed it from public view. And it had been always concealed, but for the violence of those passions which nursed it. Cunning and finesse naturally yield to the impetuosity of fear, anger, envy, and malignity.

A letter, which now lies upon my table, written by Mr. Graham, addressed to Mr. Wylie, and dated from New-York, November 3d, 1809, will serve to reflect some light on this interesting part of the narrative. It proceeds thus:

*"Reverend and very dear Sir—*I have expected a letter from you with unusual impatience. I could fill my letter with interrogatories respecting your health, family, avocations, congregation, &c. of which your frugality and reservedness in writing, allow me to remain as ignorant, as if I never had either the pleasure of your acquaintance, or an assurance of your friendship. But if you are silent, I shall be selfish; and to be revenged, shall write a

long letter respecting myself. Of my avocations as preacher and teacher, with the circumstances of time, place, prospect, &c. you can be acquainted by the bearer. I shall, therefore, proceed to write you matters which few know, and which those few will find their interest either to conceal or misrepresent. I shall be the more explicit, that I place unbounded confidence in your friendship, and am convinced of your concern for the interest of the church. Passing over the indiscreet conduct of Dr. McLeod's relations, since I returned with my office to New-York, I am compelled to make a few strictures on his own: which I do with more confidence, knowing your mutual friendship. Shall I suppose any of the ministers of the meek Jesus, any of the pastors of the Reformed Church, or any preacher who gives the smallest degree of credit to the gospel, capable of prostituting the sacred office to purposes so base, as endeavours to blast the growing reputation, or the usefulness of a brother? Or could any be guilty of such heaven-daring impiety, such base deceit, are you acquainted with language adequate to paint the crime?—You, my friend, will do more than conjecture my meaning, when I inform you that there is some preacher, which Dr. McLeod has had occasion to allude to frequently of late, and to whom he never alludes without apparent symptoms of pain—“*Who preaches himself—Who is much addicted to figures—Who dresses himself to the lighter faculties in the language of romance—and feeds a hypocritical taste for the sake of popularity—Who affects an appearance of uncommon sanctity; but did they know his character—Who is possessed of a vanity and pride which cannot brook the least neglect—Takes offence slightly, and would probably seek revenge,*” &c. These are the express terms without the slightest variation, uttered once and again with the *true pathos*, with which the doctor appears, in the most of his exhibitions, to be totally unacquainted. But every man who feels, will be eloquent, and I have no doubt, did the doctor feel oftener, upon subjects of infinitely more importance, he would be less compelled to use indiscreet methods to secure his popularity.—Is this the man who compliments himself so often with the epithet *magnanimous*? Is this the person who boasts of giving a tone of sentiment to the church in America? Are these the fruits of the gospel which he preaches, and the sentiments he conveys? What am I to expect in that church, of which he can boast himself the leader? Are these the first fruits of my connexion with the Reformed Church in America; what then must be the harvest? If, without any provocation but preaching the gospel, I am so basely treated by my brother, who takes care to convince the people that he esteems me highly, can I ever, upon reflection, bring myself to think, that in making so many sacrifices, I have acted wisely? Does it not appear that the same genius of ma-

lignity is pursuing me in America as did in Ireland? How can I expect to be useful in a church, where persons who are idolized are employed, both in the pulpit and out of it, in stigmatizing my character, and spreading evil surmises against me? Or what confidence can I put in a people who regard me as a stranger, and are enjoined, with all the eloquence and energy of one whom they regard as a *demigod*, combined with the sacred veneration of the pulpit; to view me as an object of suspicion, a vain man, a hypocrite, envious and revengeful!"

At the solicitation of a number of Mr. Graham's friends, he for several weeks continued to occupy Dr. McLeod's pulpit on the evening of each Lord's day. The fury of McLeod and his relations, however, compelled him at length to decline officiating further. He chose to remain unengaged as a preacher from February, until April, when he completed his engagements in New-York, and repaired as a supply to Baltimore.

Shortly after Mr. Graham's restoration, he supplicated the Northern Presbytery for permission to remain in New-York six months longer, as a teacher, his prospects in the department of teaching being at that time very attractive. The Presbytery consented. In April following the engagements terminated. In the meantime, his brethren had concerted and adopted measures to have him settled in Baltimore. Mr. Wylie in particular, had interested himself. The interest he took will appear from the following extracts, from a letter of his to Mr. Graham, dated November 13th, 1809. "I hope, sir, you will pardon the freedom I have taken with regard to your future settlement. "I have been negotiating with the professors of Baltimore college for a respectable birth for you, provided you should think proper to pitch your camp in that city. I am fully persuaded there is no vacancy, among our connexions, where a better field presents itself for a display of your popular talents. "You would soon, in all probability, collect a reputable congregation in that place. With the professors of the institution alluded to, I am perfectly familiar. I mentioned you to them. "They were delighted with the prospect. They will wait till next May for you. They wrote me on the subject. I promised to consult you and report to them. I hope you will permit me to make a favourable report," &c.

Similar communications were frequently made to Mr. Graham by Mr. Wylie. The rest of the brethren concurred with him. All agreed that Baltimore was the most suitable place. At their solicitation, therefore, although without any presbyterial appointment, Mr. Graham repaired to Baltimore as soon as his engagements in New-York were completed.

Upon Mr. Graham's first visit to Baltimore, his settlement there was rendered probable. The probability lessened, upon paying a second visit. He gave no encouragement to the few

brethren who were there ; and he positively refused to make any engagements with the president of the college. He wished time to consider. He feared the principles of the Reformed Church would not soon become popular there, and conceived the increase of the small congregation to be very problematical.

In May, the committee which had been authorised to take cognizance of Mr. Graham until the meeting of synod, met in Philadelphia. He was presented with a scale of appointments, enjoining him to visit the vacancies in the north, during the summer months, and then to repair to the western country. He was also appointed a member of committee to co-operate with his brethren to the west, in receiving and disposing of whatever calls might be forwarded for his acceptance. Baltimore was still regarded as the *ultimatum* of all discussions on the subject of his final settlement ; but order required that other vacancies should be indulged in forwarding their calls.

Mr. Graham having fulfilled his appointments to the north, set out in August for the west. Shortly after his arrival, a committee of presbytery met. Mr. Graham was presented with two calls, one from Baltimore, the other from Cannonsburgh. He accepted the latter.

In the May of 1810, immediately succeeding to the unhappy winter which Mr. Graham passed with his brethren of the same community in New-York, he aided at the celebration of the Lord's supper in the congregation of Mr. Wylie. Dr. McLeod co-operated also. His enmity and influence combined, alienated the affection of Mr. W. from Mr. G. What his letters during the winter had begun, he had now an opportunity of completing. On the same occasion, Mr. Graham delivered a discourse " on the utility of learning to a preacher, and of its abuse in evangelical discussions." With the latter part the brethren were much offended, particularly Mr. Wylie, who appeared to think it intended to reduce his popularity with his people. These feelings, stimulated as they were by McLeod, became permanent. The rejection of the call of Baltimore, gave fresh disgust to W——. If any thing was wanting to produce a most perfect revolution in his breast, it was accepting the call of Cannonsburgh.

McLeod and Wylie were now ripe for any attempt which might either divest Mr. G. of his office, or at least prevent his acquiring influence in the community. Each had his personal quarrel to avenge, and both seemed to dread his growing popularity. This was particularly the case with McLeod, whose ambitious projects to enslave the community, he easily perceived, were suspected by Mr. Graham. Ambition is ever jealous. McLeod had, from his earliest acquaintance with Mr. G. discovered suspicions of his one day interfering with his plans. The independent conduct of Mr. G. toward him in New-York, had heightened these suspicions, and what was wanting to confirm

them he had from Wylie, who had obtained Mr. Graham's confidence.

These gentlemen did not content themselves with the usual methods of resentment. They determined to aim at once at the ministry of Mr. Graham. Nothing was wanting but a well-concerted plan to accomplish their wishes. They determined to attack Mr. G. in those parts of his character which were rendered vulnerable, by his emigration from Ireland, and to propagate suspicion relative to a dereliction of Reformation principles. Mr. McLeod paid a visit to Mr. Wylie about the month of January, as soon as the report of Mr. Graham's reception of the call of Cannonsburgh may be supposed to have reached them. During a stay of some weeks, the matter was discussed in every possible point of view, the conspiracy was formed, and measures were concerted to have it carried into effect. These measures, which were immediately developed, consisted in the propagation of reports pernicious to Mr. Graham's character, studied attempts to awaken the suspicions and destroy the confidence of the people, and indefatigable exertions to procure materials for conducting a process against him. Every person in the community, of any tolerable standing or influence, and particularly those who were known to be inimical to Mr. Graham, were selected, as proper objects of confidence. In short, the reverend ministry, the eldership, and those of the community in whom they could confide, became panders of detraction. The less discerning part of the community, and those that could not be trusted, were surprised to learn that something, they could not learn what, was in agitation relative to Mr. Graham. They were taught to believe it was something serious, and would probably issue in his degradation. These measures were prosecuted with a subtlety which bid defiance, for some time, to detection. They were contrived to poison the sources of secret friendship and confidence, as they respected Mr. G. and to so effectually prejudice the minds of the people, as to prepare them for those unjust decisions which were to terminate the scene.

A copious extract from a letter, addressed by Mr. G. to one of his brethren, will give further satisfaction on this part of the narrative. It is dated from Cannonsburgh, March 12th, 1811.

"The conduct, sir, which your brethren have adopted, as it respects me since my arrival in America, has been inconsistent. What has been practised for some months past, has been worse than inconsistent—it has been malicious. Upon my arrival, you employed every means to impress upon my mind, your wish that I should be restored, and to suggest your belief of the tyranny and cruelty of your Irish brethren. How often have some of you uttered, in my hearing, and in the hearing of others, that you easily accounted for the treatment I met with in Ireland? You did more than insinuate, that I had suffered most unjustly, and

that the proceedings of the Irish presbytery were capricious and illegal. You took occasion to assure me that I should meet with brethren in America, apprised of the true state of things, and prompt to redress my grievances. All this you did unsolicited. At this time God had brightened my prospects. I was often put in mind of the seducing influence of a respectable situation, such as I then occupied, and the criminality of an attempt to abandon the ministry. I expressed a wish to remain in that situation for three years, believing, at the end of that period, I should be able to liquidate my debts, and should, with more respectability, return to my office. Against this some of you demurred, still insisting upon the necessity of resuming my office, both as it respected my own vows, and the destitute situation of the American church. Every method, which you thought likely to prevail upon me, to offer myself for restoration, on the May ensuing, 1809, was adopted. I consented to appear at your Presbytery. I did appear. Your measures relating to restoration, were proposed with much zeal and address, and followed up with alacrity. God appeared to open a door. Such was the community of interest, and unity of operation which prevailed, that nothing remained for me, but merely to consent. The decisions were so rapid and auspicious, and your friendship so warm and energetic, that my interest united with my inclination, in agreeing to every thing proposed. To be short, you agreed unanimously to restore. I have no objections that you should reflect upon your conduct, and either call yourselves, or suffer to be called by others, foolish, rash, and by every other degrading epithet. But, sir, this is a disgraceful resource. A Presbytery to voluntarily plunge itself into circumstances, which, at the best, admit only of a schoolboy's apology. After my restoration, as if that great duty, as you had conceived it, had been, in *ipso facto*, fatal to the respect you owed both your own character and mine, you made daily encroachments upon your fraternal professions of friendship. Was it that I began to utter heresy? No; neither you, nor your Irish brethren, have had courage enough to charge me with heresy. Was it that you thought me too contemptible to occupy your pulpits? I have your hand-writing, adulatory enough, and can appeal to other documents, that this was not the cause. Or was it, that I practiced any vice, public or private, derogatory to ministerial usefulness? No; this you have never been able to prove. What then was the cause? Why did my brethren cease to discover an attachment, labour to disparage my exhibitions, studiously remind the people of my fall, exert themselves to obstruct their confidence, use undue methods to prejudice one another, so soon as I began to co-operate with them in the ministry? This was an effect so contrary to what could be rationally expected, that it must have had some very singular cause. Whatever the cause may have been, it is certain

your brethren found their interest in concealing it, while they either could not, or would not, conceal the effect. Grant me the evidence of the historian to be legitimate, and indulge me with the same liberty in accounting for facts, and without either a charge of undue suspicion, or a breach of charity, I shall account for your conduct—You did not immediately enter into a conspiracy to divest me of my reputation and usefulness. The prowess was slow and gradual. By some unaccountable fatality I received the welcome of a brother, was introduced into your pulpits in the usual way, with a shew of respect; but left you usually much dissatisfied; and had the mortification afterwards to learn, you were each in your turn ripe for any plot which might be calculated to reduce me with the public.

It will amuse you, sir—I hope it will do more—to suggest a few things, which, to the reflecting part of mankind, will speak for themselves. Do you know any thing of the conduct of your friends in New-York, immediately after my restoration? Had I fulminated the anathemas of popery, or raked up and vindicated all the heresies of all ages, or blasphemed most horribly the precious name of the God of the gospel, they could not have been more convulsed. The *contemptible* friends of the still more *contemptible* STAVELY, were hurried into paroxysms of envy and jealousy, which they could not conceal. Even the *seraphic* Doctor* exhibited symptoms of a hectic nature. A crowded house—bursts of approbation—a stranger to have his temple bound—the seraphic doctor looking on, were things not to be endured. Racks, gibbets, torture, and death—How sheepish would the great man look at his friends—how ghastly would they smile on him.—O eloquence, thou impostor, romance, metaphor, mere sound, sing-song, bombast, fiddling, nonsense, every thing that is base, contemptible, and dreadful. “Horrible shadow, unreal mockery, hence; hadst thou taken any shape but that, even the rugged Russian bear, the armed Rhinoceros or Hyrcanian tyger, the doctor’s firm nerves would have borne it.” How may we suppose the gentle and persuasive accents of a once injured apostle, fell upon the ears of Diotrephes! The howlings of the forest must not have been more harsh and dreadful. Poor Diatrephès, “you loved to have the pre-eminence.” Who would not have pitied you, sweating and groaning under the captivating discussions of the apostle? Who would not find an apology for the *malicious* words which you *prated* against him? Unfeeling persons might, perhaps, blame you for *inter-*

* About this time Mr. M’Leod, at the solicitation of the Rev. Dr. Millar, was dubbed D. D. by the seminary of Middlebury.

*cepting** the apostle's letters, and refusing to receive the brethren, and *casting them out of the church*, who presumed to receive them. But they had no conception of what you must have suffered. Unfortunate Diotrophes, all your pretended sanctity, and all your solemn and swelled appeals to heaven, could not repress suspicions, that your motives were none of the purest, in traducing the apostle. Presumptuous Diotrophes, you sacrificed the prosperity of the church, to your own ambition. Contemptible Diotrophes, you constructed a shield of pious pretensions so thick and massy, as to enable you to hope, you should not be detected. While your intriguing measures were practised to secure your popularity, you hoped, at least, to escape the censure of the world. But in vain. The masterly pencil of an amiable, and persecuted apostle, has sketched your character, and, to your merited disgrace, the portrait has been handed down, to meet the accumulated contempt of succeeding ages.†

"You can easily, by this time, account for the conduct of M'L——. If not, hundreds will assist you in it. But how shall we account for the treacherous inconsistency of Wylie. They are still living to whom this gentleman has both spoken and written in the most polite and flattering terms, respecting me. From no man have I ever received more fervid and impressive demonstrations of unbounded confidence and friendship. Will his own imbecility, and M'L——'s intrigue, account for such a revolution? If they will not, I can only add, the circumstance of a discourse, preached in his pulpit and presence, May, 1810, with the galling disappointment which he appeared to sustain, at my acceptance of the call of Cannonsburgh. Any one of these circumstances, artfully plyed by M'L——, would probably have been sufficient; all of them combined, was certainly too much for W——'s constitutional imbecility."

I have thus conducted the narrative until Mr. G——'s acceptance of the call of Cannonsburgh, in November last. I shall, in my next, take up the occurrences which immediately followed.

Yours, &c.

* This happily alludes to a circumstance which ought not to be concealed. Mr. Graham's letters were usually addressed to the care of Doctor M'Leod. About the time in which the ungenerous treatment of Mr. G. was at the worst, the doctor *blushingly* handed him a letter, which had been broken open in his house, with an unmeaning apology!

† See the third epistle general of JOHN.

LETTER III.

MY DEAR FRIEND,

ON the 20th of November, 1810, Mr. G. accepted the call of Canonsburgh. This was a very unacceptable measure with the brethren. It contributed largely to lead to the plot which was afterwards framed. Canonsburgh congregation is situated contiguous to the charge of Mr. Black. The bounding line between them is the river Monongahela. At the time Mr. G. accepted the call, Mr. Black was paying a visit to the brethren in the south. He and the reverend brethren, particularly W. and M^L. had concurred in pointing out Baltimore as Mr. G.'s destination. They had sedulously labored to make impressions on the minds of the people in the western country prejudicial to Mr. G. previous to his arrival. These were soon dissipated. But the dispositions which gave rise to these disingenuous measures among Mr. G.'s brethren, were not to be easily conciliated. So soon as Black returned from the south, he manifested an extreme dislike to Mr. G.'s settlement. The general attention paid to Mr. G. was not to be quietly borne by a peevish and jealous mind. Black and a few *blind partizans* had recourse to the usual expedients in such cases. A general torrent of abuse was poured in from the reverend brethren and their confidants in the east, to the timely aid of Black and his party. Fresh scandal came with every post. The confidants were put in possession of the *conspiracy*. It was customary with Black, when exhausted with the drudgery of slander, to terminate with a remark, that "Mr. G. would soon be degraded." To follow this gentleman through his *dirty* work, at this time, would be an endless and an irksome task. Mr. G. was his song, his jest. He had hardly a thought or a word for any other subject. He literally *lived* upon defamation. The sacred pulpit itself was profaned, to gratify his vitiated palate. The gospel, in his mouth, became a vehicle of calumny. That precious talent, confided with ministers, to *save* men, was, by this man, basely prostituted to *ruin* a brother. I ought to mention, however, in justice to him, that he is not alone in this impious practice. It is become so common, among the brethren in this community, that its turpitude ceased to affect. To mangle each other in this way, is regarded by these gentlemen as a masterly stroke of policy.

What, in this narrative must surprise you, is, that while calumny was undulating in all quarters, to the remotest parts of the community, it never once reached the ears of Mr. G. until a few weeks prior to the meeting of Synod, in New-York, in May

last. It was some weeks, after his deposition was currently talked of among the people, that he accidentally learned such things were in agitation. This produced some alarm. He had, indeed, ever since his collision with M'Leod, anticipated much unhappiness in that connexion, and had calculated upon attempts to censure and degrade him, should the slightest pretext at any time be furnished. Such pretexts, Mr. G. understood at this time, were in existence—but what they were, or whence they originated, he could not learn. In this state of mind, proscribed by his brethren, already degraded in their councils, the people looking forward to some extraordinary development of character, suspected, insulted, abused, yet ignorant of any thing which would justify the conduct of his brethren, or raise such imputations in the people, Mr. G. set out to meet the Synod.

Some business of importance required Mr. G.'s attendance in New-York. A Presbytery, he was informed, would probably hold in Philadelphia, previous to the Synod. The Presbytery did sit. Mr. G. could not, for the reason mentioned above, wait upon it. At that Presbytery, Mr. Cooper, commissioner from the congregation of Canonsburgh, presented the prayer of the people, requesting the instalment of Mr. G. The Presbytery, after a degrading scene of prejudice and enmity to Mr. G. after a whole hecatomb sacrificed to the genius of malevolence, and after collecting the reports which they themselves had industriously propagated, ordered them to be condensed into the form of reasons for refusing to grant the prayer of Canonsburgh, and to be transmitted to the Synod. Here the secret counsels of the faction began to develop themselves. These *reasons*, which they afterwards abandoned, finding them untenable, gave a public shape to their measures, and, as was designed, led the way to the institution of a process against Mr. G.

On the evening of the 15th of May, the Synod, according to appointment, opened with a discourse. On the morning of the 16th it commenced its sederunts. Having completed the catalogue of its members, read a number of written rules for directing its proceedings, and the minutes of the last session, the court was about to enter upon business, when Mr. Graham begged leave to offer a few remarks.

Mr. Graham began by calling the attention of the court to one of its own regulations, just read. Rule iv. p. 23. of the printed minutes of session 2d, 1811. "After the choice of the moderator, and clerk, new members, if any such there be, shall be introduced." Mr. G. remarked, the conduct of the court was not conformed to this regulation. They had, since the choice of moderator and clerk, read these rules; they had read the minutes of the last session of Synod; they were now addressing themselves to the business which lay before them; they certainly appeared to consider the catalogue of their members completed, and most

assuredly taught him to believe, by acting in direct opposition to the common practice of the church, and one of their own rules, that he was designedly overlooked. He expressed his surprise, that he who had been recognised a minister of the gospel, by this church, in his restoration, and consequently entitled to all the privileges of a regular minister, in full standing with the church; who had for two years occupied a seat in the judicatories of the Reformed Church in Ireland; who had been recognised a member of the Northern Presbytery of the church in America, as their records of May, 1810, would shew; who had sat a member of two committees of Synod in Philadelphia, in May, 1810; who had, by presbyterial appointment, co-operated with his brethren, as a member of committee, of the Middle Presbytery, which met in Canonsburgh, November 20th, 1810;—that he, notwithstanding these several public and explicit recognitions of his office, should have been overlooked, in completing the catalogue of the members of this court. He alleged, that although no pastoral relation had been constituted between him and any congregation under the inspection of this court, yet this circumstance could not deprive him of the right of exercising ministerial power, which was not *relative*, originating in a relation to the people; but *essential*, pertaining to the office. That ecclesiastical power, being a constituent of the ministerial office, every minister *ex officio*, had a right to demand a seat in a judicatory which met professedly to manage the general concerns of the community to which he belonged. That he knew of no exception to this, unless when a superior judicatory convened by delegation. That upon this broad presbyterian principle, he might demand his seat, after referring the court to the minute which respected his restoration. If, however, he thought the demand would provoke discussion, he would rather, for the present, waive his right, and wait an invitation to occupy an *honorary* seat; which the honor of this court, the respect due to the acts of its inferior judicatories, and to the ministerial office vested in him, and the practice of reputable churches, time immemorial, taught him to expect. He hoped none would attach indelicacy to this last suggestion. If they should, he alleged that in declining to urge what was his right, and leaving it with the discretion of the court, to admit him to a seat, he had evinced a disposition rather *conciliating* than *indelicate*. He was well aware these observations would have come with a better grace from one of his brethren; but however he might have cause to regret their silence, he did not conceive it his duty to imitate their example. To be compelled to stand forward singly, to demand his rights, or to solicit what it would have been the honor of this court to have conferred unsolicited, was his misfortune, not his crime. He highly appreciated genuine modesty, but could not think it called upon him to make a tame surrender of his best

privileges. That delicacy which would suffer an opportunity for the performance of a great duty, or the enjoyment of a great privilege, to pass unoccupied, without endeavour, must certainly be false. Mr. G. concluded by expressing a hope, that the court would call him to an immediate discharge of the duties of his office.

These observations occasioned much embarrassment. The court had made no provision against a solicitation so unexpected as that of Mr. Graham. They appeared to be in danger of mistaking each other. Their desultory observations, without any definite object in view, and delivered with hesitation, rendered it obvious, that to admit Mr. Graham to a seat would interfere with a *preconcerted* plan. The reason, however, which they agreed at length to oppose to his wish, was, "Mr. Graham is not known to us as a minister, he must have a formal introduction."*

Mr. G. observed, in reply, that after exercising the ministerial office for near two years among them; after a personal acquaintance with every member who composed the court; after co-operating in the dispensation of the supper, with a majority of his brethren, now present; after sitting repeatedly a member of the judicatories of the church; after being recognised by the records of these judicatories as a co-presbyter; it might have the appearance of urging formalities to an extreme, to talk of a formal introduction. He was not, however, an enemy to formality—he respected order. He begged not to be misunderstood, as if, in urging his rights, he had designed to interfere with the ordinary practice of the church. It was *his* duty to advocate his rights, by insisting upon holding a seat in this judicatory; it was *their* duty to have him put in possession of this right, according to the established usages of the Presbyterian church. He still urged it as his right, and alleged, that the proper season for adopting these formalities which were necessary to invest him with it, was, before the catalogue of the members should be considered as completed. That it was the uniform practice of ecclesiastical judicatories, on observing brethren present, who were not constituent members, to either invite them immediately, without any formality, to a seat, or before proceeding to any other business, to have recourse to whatever measures they might deem necessary for introduction. That he had waited patiently to see whether the court would proceed in this way, and that it was not until he had perceived the list of members completed, and the court proceed to read its rules, and to propose to go on with its ordinary business, that he had been constrained to

* This was a mere *subterfuge*, it being evident by their neglecting the proper season specified by their own rule for the introduction of Mr. G. that they had previously determined not to invite him to a seat.

request their attention to what appeared to him their duty. He had been, moreover, induced to urge this as a becoming expedient, having learned, that some defamatory reports were in circulation against him; that it was probable, allusion might be had to these during the session of Synod; and that should explanations be necessary, it would be extremely painful to him, and he thought degrading to the court, should he be compelled to make them under all the disadvantages attending a common spectator. He further urged, that if it were an extraordinary thing, perhaps indeed unprecedented, that a Presbyterian minister should be present with a judicatory of the community to which he belonged, which did not meet by delegation, and should be permitted to rank with the spectators; how much more extraordinary would it appear, should he have been constrained, for reasons deeply interesting, to request a seat, and have been refused! Had the subject not been introduced, he observed, his not being invited to occupy a seat with his brethren, might, in a great measure, have passed unnoticed; but now that it had been partly discussed, it behoved the court to weigh well the reasons which would justify them in a refusal, as it would be tantamount to a judicial degradation.

The court adhered pertinaciously to its objections, refused to recognise Mr. Graham, and ordered a review of the minutes of the last meeting of Synod. They made further additions and amendments.*

Having had some time to collect themselves and to reflect, they began to perceive, they had dismissed Mr. Graham's affair in a very imperfect state. It was resumed, at the motion of one of the members, accompanied with a proposal, "that all the minutes which respected Mr. Graham, in the several judicatories of the church in this country, and that other papers, which might have a relation to him, should be read, in order to ascertain his ministerial standing, and see whether the court was obligated to recognise Mr. Graham as one of its members."†

To this very extraordinary motion Mr. Graham objected. He said the Presbytery of 1809, at that time the superior judicatory, had appointed a committee, with full power to restore him, and to dispose of him to the meeting of Synod.‡ That consequently

* One amendment, in particular, consisted in introducing a resolution which had been neglected in the original constitution of the Synod, viz. "That all the deeds of the Reformed Presbytery in America, previous to the constitution of the Synod, should be recognised."

† This, it must be acknowledged, was a very extraordinary way of introducing a member. It evidently shewed that what was manifest, which alone ought to have conducted their counsels, would not answer their purpose, and that to support their unpresbyterial measures, they found themselves compelled to travel out of the beaten track in quest of information.

‡ This committee was ordered to direct the appointment of Mr. Graham, from the time of his restoration, "until the subsequent meeting of the superior judicatory."—*Printed Extracts*, p. 9.

to that committee, out of respect to the appointment of a court, whose deeds they had recognized, they were bound to look for the standing of Mr. Graham; that nothing could more glaringly violate that appointment, or more manifestly disclose some sinister purpose to be answered, than a motion, that the minutes of the several judicatories should be read; that to call in, or even admit, at this stage of the business, *extra* persons, appeared to him a breach of order and decency so flagrant, as to require no comment. He had no objection to the motion on account of any inconvenience to which it might eventually subject him; on the contrary, circumstances, well known to his brethren, and particularly grievous to him, compelled him ardently to wish a general investigation of all papers which might respect him. But he viewed the motion solely upon the footing of order; and bearing as it did upon him, he conceived it his duty to object to it. He added, that it was not without pain he had perceived among his brethren a disposition to *anticipate*. Their measures were all ominous. They evidently portended something disastrous to him. He hoped, however, they would not persevere in a measure, which would inevitably commit themselves, by transgressing the limits of orderly enquiry, or anticipating judgment, merely to baffle his wishes.

Notwithstanding these expostulations, the motion carried; and, regardless of the power confided with the committee, they proceeded to read such records and papers as respected him, both in Ireland and in America.

From these papers it appeared, that Mr. G. had waited upon the Presbytery of 1809, praying to be absolved from the sentence of deposition; that he had been restored to the office of the holy ministry in August following; that he had taught school in New-York from the time in which he was restored, until April, 1810; that he had received appointments from the committee, which he had fulfilled; that in November last, he had accepted a call from the congregation of Canonsburgh; that the people of Canonsburgh had forwarded a petition to the Middle Presbytery, which sat the 13th inst. praying the instalment of Mr. Graham; and that the Presbytery had refused instalment, for reasons which they had now forwarded to the court.—The reasons were produced and read, as follows: 1. "The engagements under which Mr. Graham was laid, at his restoration, appear not to be fulfilled. 2. His treating subsequent engagements with levity. 3. His character being publicly implicated by an advertisement. 4. Charges of swindling in Belfast, unknown to our courts at his restoration. 5. Imprudence and extravagance in this country. 6. Attempts to sow the seeds of discord among the brethren in the ministry. 7. Attempts to injure his brethren in their own congregations. 8. General incompetency to manage the pastoral charge of a congregation."

These reasons, which had been rashly framed by the Presbytery of the 13th, while their passions bestowed an importance upon vague report, and stimulated them to adopt without enquiry, were afterwards abandoned, with the exception of No. 4 and 6. Upon cool reflection, they found that there were no engagements of a pecuniary nature stipulated, at the time of restoration;* that subsequent engagements were *not* treated with levity; that Mr. G.'s character was not even *slightly* injured by the advertisement;† that Mr. G. was *not* extravagant in this country; that he had *not* attempted to injure his brethren in their own congregations, &c. The *eight* reasons, therefore, were never heard of after the Synod. Their ardor to prosecute, precipitated them, in the very first instance, into absurdity.

The Synod followed up the paper of reasons, by reading an extract from a letter of the Irish Presbytery. It is dated from Maghera, March 27, 1810, and proceeds thus:—"No official account has reached us respecting the reception that you gave Mr. Graham, in May, 1809.—We are not, then, called upon to give our opinion relative to that affair. But if we can rely upon the accounts that individual persons among us, have got from America, we cannot but wonder at the rapidity with which he seems to be stepping forward to occupy the place of a public teacher in the church. If ever that situation were to be occupied by him, we would expect it to have been after a long trial of the sincerity of his repentance, and the correctness of his conduct: and also after he had liquidated all the debt he owed in Ireland. We cannot see how the wound given to religion in this place, by him, can be healed in any other manner. If it be not in his power to pay his debts, at present, we would consider that, as the voice of God to him, not to become a preacher. Before he was received by us, he was obliged to pay the debts that he owed to Seceders, and was assisted, likewise, by Covenanters in so doing. Otherwise it is likely he never would have preached in our connexion. And we much doubt if his becoming a Presbyter with you, in his present circumstances, will tend to

* Extract of the minute of the committee appointed to restore Mr. Graham, Milton, August 12th, 1809.

"Mr. Graham being present, was called upon to declare, whether it continued to be his desire, to be restored to the office of the ministry. He declared it did. Having promised a steadfast adherence to the cause of the Reformed Presbyterian Church, and submission in the Lord, to the Northern Presbytery, in subordination to the Synod of said church, after prayer for special direction, by the moderator, Mr. Graham was, in the name of the Lord Jesus Christ, restored to the office of the holy ministry."

GILBERT M'MASTER, Clerk.

In this extract there is nothing of engagements or stipulations, relative to pecuniary matters.

† See Mr. G.'s defence in the subsequent pages.

strengthen our union with you, to promote the honor of religion, or to restore the lost character of Mr. Graham. We wish well to Mr. Graham—we hope better things than those that are past will be seen about him. It would give us joy to hear that he was a member of your court, in a lawful and honorable way ; but our past experience of his folly—the cry of swindler and rogue that is lifted up here, by the multitude of his creditors—the upbraidings of those who wish to see the hedge of discipline, in our church, levelled as low as in their own—and our fears of his conduct in future, excite in our minds an alarm, that we can scarcely describe, in case he be admitted to the ministerial office, without further trial of his conduct, or present remuneration of those he has injured.

Signed by order of the Presbytery,

JOHN ALEXANDER, Pres. Clk."

After enquiring of the court, whether there existed any more papers which they wished to have read, and being answered in the negative, Mr. Graham craved the liberty of speaking, and spoke as follows :

" *Reverend Moderator*—I am at a loss to know in what language I ought to address you, what I ought to publish, or what to conceal ; how far I ought to go, adapting myself to existing circumstances, or where I ought to stop. The formalities which a court imposes, will unavoidably oblige me to pay no attention, at present, to many things which deeply impress my mind. I must address you, as if you, in the character of a court, were profoundly ignorant of the very things, which, I am persuaded, you are perfectly acquainted with as individuals. I am, moreover, unable to precisely ascertain in what point of view I ought, at this moment, to regard my standing with the church. I had requested, in the morning of this day, to be permitted to occupy a seat among you, to which I thought I was entitled, having learned that something disreputable to me, would, in some shape, meet your attention. Had this been granted, I should have known the precise relation I hold to the court, and how to conduct my observations. You know many other advantages I should have derived from this single circumstance, which I cannot help thinking still is my right. By denying it, I am placed in a degraded situation, while no reason has been assigned, why it should be so. My remonstrances, animadversions, and reasonings, will want force and respect ; and although a single charge of delinquency, neither in this court nor any other, has been advanced against me, I shall, in despite of reason and of justice, be regarded in the light of a delinquent. Whether this be a situation in which you, sir, have a right to involve any of your brethren, I shall not pretend to say.—When I reflect upon the past, I blame my own *credulity*, and can have few objections that those who contemplate the awkward appearance I make at

this moment, should call me a *fool*. Perhaps, sir, I ought to address you, as though you knew nothing of the matter. But, sir, it is a difficult thing, in the fervor of interesting discussion, to keep a distinction so nice in view, as between what a man means and judges out of court, and what he knows and judges in it.

I do not intend to make a single observation at present upon the merit of the paper addressed to this court by the Middle Presbytery of the 13th instant, containing its reasons for refusing the prayer for my instalment. That Presbytery has pledged itself to resume these reasons, in the form of charges, at its next meeting. Then, and not before, will be the time to meet it. I cannot, however, altogether repress the language of complaint, believing, as I do, that I have been ungenerously treated by several of my brethren, as it relates to the things alluded to in the paper of reasons. I am sorry to be constrained to mention any circumstance, or make any allusion, which might even remotely impress the mind of a single individual, that any of my brethren treat me with want of confidence, or discover a disposition to do me an injury. It is equally unpropitious to us both; to them, from the circumstance of my being a stranger; to me, who probably ought, every thing considered, to bear a great deal without murmuring. These considerations, I confess, would strike me dumb on the occasion, were it not that I have gathered information from reputable sources, on my way hither, and since I arrived, that it is contemplated, nay *firmly determined*, by my brethren, to degrade me. I am the more confirmed in a belief of the truth of this communication, from the circumstance of my being indirectly degraded by this court, in refusing me a seat. I wished an interview with my brethren since I came on, perceiving the necessity of mutual explanations. This, no doubt, would have corrected mistakes on both sides. But even this was not granted. I am the less accountable, therefore, for any mistakes into which I may run, in the observations I am now to offer.

About three or four weeks ago, sir, I was given to understand there were reports in circulation injurious to my character. This I received, not by any direct communication from any of my brethren, either of the ministry or the laity, but only through the medium of common report. However improbable it appeared, that any thing unpropitious to the character of a minister, should be in circulation in the community to which he belonged; and should be concealed from his knowledge; yet I did not feel altogether disposed to treat it with neglect. I began to enquire what the reports were, and how they originated. I soon learned, they were communicated from my brethren in the north and east; that the persons to whom the communications were made, were strictly enjoined to hold them a secret; and that something, I could not learn what, was to be preferred against me at this

time. I wrote some of my brethren, requesting them to consult their own honour, by acquainting me with any thing prejudicial to my character which they knew. They in return talked seriously of charges, but not the most remotely insinuated what they were. These letters I have in my pocket. This appeared the more extraordinary, as I was not conscious of having done any thing to merit such treatment. I wrote again, more pressingly. Still my brethren were silent. One of them, however, my reverend neighbour,* was not idle. Although he absolutely refused, after many solicitations from friends, to see me on the subject, and put me in possession of what he knew; yet he propagated, with unremitting zeal, insinuations, and sometimes direct reproaches. Persons were confidentially entrusted with this, that, and a third report; and after being solemnly obligated to retain the secret, were usually dismissed with an impression, that something still more dreadful would be developed in due time. This gentleman has proceeded so far as to declare, in religious societies, that I should be deposed.† The alarm, sir, has been great in the western country. The people have been taught to look forward to this period for something decisive. I have never, notwithstanding the greatest exertions before I left the western country, and on my way hither, been able to learn with certainty, that charges would be preferred, and much less what they were. I have been compelled, out of a solicitude natural to man, to apply to persons who were in the confidence of my brethren, as I came on to this place, and have beseeched them to acquaint me with every thing they knew. Their usual reply was, they knew nothing but some *vague reports*, respecting pecuniary transactions, concerning which, when I explained, they appeared satisfied. I applied, in what I thought to have been a friendly and confidential conversation, to the very gentleman who has pledged himself to prove what is contained in those papers, (Mr. Wylie) and that only four days prior to his sitting in the Presbytery—and he with vehemence assured me “*he knew of nothing*.” Still understanding that something was whispered about among the people, and suspecting his duplicity, I again applied, in the presence of Mr. Hazelton, a member of your court, and still he asserted as before. I put the same enquiry, on my arrival in New-York, and received a similar reply, even after the principal part of my brethren, who are now in Synod, had made their appearance. I do not complain of the Presbytery, in collecting reasons, and transmitting them to this court. I rejoice that there is a prospect of having introduced to public notice a number of distorted and false reports. I have looked for-

* Mr. Black.

† Mr. Black declared openly, in a religious society, in the house of Thomas Algeo, Pittsburgh, some weeks before the meeting of Synod, that Mr. Graham should not return a preacher to the west.

ward to this period with solicitude, my state for some weeks past being a state of wretchedness, proceeding from the concealment of the measures, which, it will appear, have been systematically adopted, to reduce me in the estimation of the church and of the public. I cannot help thinking, the manner in which some of my brethren have conducted themselves, has been disingenuous; and I fear there is too much reason for dreading the consequences. I only wish these slanderous reports might be put into some shape to meet discussion, and that I may have an opportunity, speedily, of exposing their falsehood.

With regard to the Irish letter, I feel myself aggrieved. It specifies no new charges, but is not the less calculated to injure—its design being manifestly to destroy my reputation, without the formality of an investigation. Did the same spirit actuate my brethren, at present, which did in 1809, the reiterations of reproach which that letter contains, would be treated as they deserve—I should then have that protection from insult and injury, which this court is bound to furnish, and should not be compelled to stand forward singly to defend myself. Did the letter contain nothing but a repetition of charges already investigated and decided upon by both the Irish and American Presbyteries, I should not drop a single animadversion upon it, believing, as I do, that to upbraid with those things, for which, whether true or false, they have already inflicted the highest censures, is a violation of all decency. But the letter contains positive and unqualified falsehoods. I feel pained, at being compelled to treat an official letter of a sister judicatory, in this manner. But if the Irish Presbytery has, in its zeal to destroy my prospects, forgotten itself so far as to make communications not strictly true, I am not, out of an unmanly and unprincipled deference to its authority, to desist from exposing them. If they have placed themselves in a situation so degrading, they must blame their own temerity. It is stated in that letter, that “before I was received into the Irish Presbytery, I was obliged to pay the debts I owed to Seceders.” That I owed a few small debts to Seceders, when I applied for admission to the Irish Presbytery, I admit: but that these debts were paid before my admission, or that the payment of them was, in any sense, a condition in order to admission, I deny. These very debts constitute, at this instant, a part of the debt which I owe in Ireland. I pledge my office, and all that I hold dear, upon the truth of what I affirm, and call upon the Irish Presbytery to prove what they have stated. It is further asserted, “that the Irish church aided me in liquidating those debts.” Sir, I am astonished how a respectable judicatory could deliberately write and communicate such glaring falsehoods. They cannot be ignorant, if their ardor to injure would permit them to reflect—that this

statement is untrue. At least, the best construction I can put on it, is, that, as usual, they have gathered up the loose reports of the country, and have engrossed them in a presbyterial letter. I do, upon my veracity, assure you, sir, that I never received a single penny from any person, or persons, under the inspection of the Reformed church in Ireland, to aid in the payment of debt. Nor do I recollect more than two solitary instances, in which I received something more than what is usually given as a compensation to travelling preachers. In one instance I received about two guineas and a half from the Dervock congregation, a few sabbaths after my admission; on another occasion, about three pounds (Irish) from the congregation of Newtown-Arms. These I state as facts, and again call upon the Irish Presbytery to prove what they have asserted. I am too well satisfied, that nothing would be more gratifying to some of my brethren, than to find me in a lie. I the more willingly hazard my veracity, and shall be contented to submit to any censure, if I shall be found to have deviated from the truth in this matter. But, sir, so far from it being a truth, that my debt was paid, on my application to the Irish Presbytery, the contrary is true. I was embarrassed afresh. I shall tell you how my debts were paid. Although I appeared before them soliciting admission upon a declination, and from full standing in a regular church, I was denied admission, and advised to suspend my office four weeks. At the end of that time, I had specimens of trial assigned, and was informed, if I had any hope of being admitted, to remain silent six weeks longer. At the expiration of six weeks, I was referred for admission to the meeting of Presbytery, which was to sit at the end of four weeks. At the end of four weeks, by a political movement, which aroused my indignation, and by taking hold of the expressions of irritation, I was referred to a committee five weeks after. The committee found the matter consigned to them too weighty, and again referred it to the Presbytery, to meet about eleven weeks after. Thus, sir, I was cajoled out of my office. My hands were tied up. I was prevented from entering upon any employment for my support, being tantalized from week to week with the hope of admission. To wantonly preclude me from the use of the only lawful means which God had put in my power, for thirty weeks; to compel me to have recourse to the expedient of exposing to public sale a well selected little library, to answer pressing demands; to be tantalized during this protracted scene of oppression, with interrogations, why I did not pay my debts? and rude commands, to go and pay them; to have the few persons to whom I was debtor stimulated to madness, by Mr. Stavelly and his accomplices; to be compelled, owing to the indiscreet conduct of the Reformed Church, to travel and defray my expences in all quarters, as a stranger, even after I was admitted;—in the same way that I have been compelled to stop at a

taVERN, in PHILADELPHIA, on my way hither, and to live at a boarding-house, as I do at present ;—these, sir, were the expedients to which the Irish Presbytery had recourse, to enable me to pay my debts. With what effrontery, then, they can venture to send abroad such affirmations as that letter contains, conscious, as they must be, of the treatment I met with, I am at a loss to conjecture. As to the terms “swindler and rogue,” &c. which they love to bestow upon me plentifully, I have only to observe, that to call one by these names, and in the same letter to reproach him for not paying his debts, appears a gross inconsistency. Debtor is a relative term, and implies a creditor, which is not true, of rogue and swindler. A debtor pays his debts, and is discharged from obligation and danger ; a swindler is punished. It is impossible that one can be regarded, as it respects the same transaction, in the light of both a swindler and a debtor. These appellations are the more grievous, that they have never been proven. They are terms of popular fury, which have been snatched with avidity from the mob. A pity it is, that such flagrant violations of propriety, should pass with impunity.

There is one thing I must be indulged in attending to. That letter loudly reproaches me for not paying my debts since I arrived in AMERICA. This is the more plausible, as it is generally believed a gracious Providence placed me in an eligible situation, shortly after my arrival. Let us see whether it were practicable to have paid any considerable sum prior to the date of that letter, admitting my circumstances to have been prosperous. That letter bears date March 27th, 1810. I arrived with a small family in August, 1808. I spent until November in the country, on a small salary, which barely supported my family. In November I commenced teaching in New-York, with success. I bless God, who raised me friends, although not in the Reformed church. I had their patronage—Providence smiled—my affairs prospered. Allowing time for the remittance of a bill, an account of which could have reached the Irish Presbytery before March, 1810, it must have been remitted by the beginning of November, 1809. But from November, 1808, when I commenced teaching in New-York, to November, 1809, when the remittance must have been made, was only one year. Now, sir, let any man of common discernment consider, that I came into New-York a stranger, with a family, without my office, without money, without any necessary of life, and say whether it could be rationally expected, that in *one year* I should commence house-keeping, support a family, and remit bills for the payment of my debts ! Were there no other document to prove the unreasonable animadversions of the Irish Presbytery, this would be sufficient. I admit, I did not pay my debts within the period to which the Presbytery alludes ; yet I made a small remittance,

and can prove, by the most reputable witnesses, that I had made arrangements to pay much more. These arrangements were afterwards deranged, partly by my admission into this church, and partly by a corrective dispensation.

Sir, I have been uniformly tender on the subject, as it relates to the Irish Presbytery. I had hoped to have my sufferings, with their reproaches, overwhelmed in oblivion. Time, the successful physician, in the most desperate cases of this description, I had fondly hoped, would have conciliated the hearts of my Irish brethren, especially after they had exhausted the censures of the church upon me. It pains me to learn, that neither time, nor distance, nor censure, has in the least availed to allay that spirit of malevolence towards me, which has uniformly bewrayed itself in all their proceedings. I cannot easily impose restraints upon myself any longer. The Presbytery has placed itself in a situation, by its letter, demanding just reprehension. Its appearing out of season, being designed to expostulate against my restoration, precludes any effect it might have had, and, indeed, precluded the necessity of animadversion. If it can be supposed to have any effect, it must be against the church which restored me. Well aware as I am, however, that it has been thrust in at this stage of the business, to answer purposes which begin to develop themselves, I have conceived it worthy of attention.

If I am rightly informed, the reading of the Irish letter is to be regarded as the *watchword* of a prosecution, and the contents of the letter as the grounds of the prosecution itself. It is in contemplation, I have understood, to have, by some means, a re-investigation of the Irish affairs. This letter is to be followed up by another, and I must to the torture again. This compels me to make a few observations, more gravely, perhaps, than what the subject demands.

It appears to me, this court does not correctly perceive the relation they occupy to such communications as the Irish letter contains. Is it possible they can be ignorant, that every stricture or animadversion made upon a brother, whom they have admitted, and obligated themselves to protect, is made upon themselves?

Subjects demand different treatment, according to the form they assume. If the paper now read, consists of charges, assuming the form of a libel, there appears nothing difficult in knowing how they ought to be treated. The Irish Presbytery is the plaintiff, I am the defendant, and this court is the judge. But if the paper be *expostulatory* or *remonstrative*, the Irish Presbytery expostulate with you, while I am supposed to have no more official concern in the discussion, than any other of my brethren. The former supposition would lead you to commence an ecclesiastical process against another; the latter calls upon

you to defend yourselves. This is a distinction so necessary, and the difference of manner to which it conducts so obvious, as not to be mistaken.

The Irish Presbytery have transmitted to this court two kinds of official papers, at different times. In May, 1809, you received documents, acquainting you with certain charges preferred against me, of the steps that had been taken, and of my deposition. I appeared before you at the same time, praying to be restored to my office. You rightly judged, the matter required your interference. You did interfere. Your first decision sustained the charges and the deposition. Or, as one of my brethren expressed himself on that occasion, perhaps with more force than elegance, "you stepped into the shoes of the Irish Presbytery." You next instituted a re-investigation of the charges. You decided. A portion of ecclesiastical chastisement was inflicted afresh. Whether the attention you then paid to the Irish documents was more or less, or of the exact quality and description which they required, I will not take upon me to say. You judged. I submitted. There the matter ended.

After a long interval of two years, your attention is called to more documents from Ireland. Those that now lie on your table, are, as they regard me, substantially the same with those communicated two years ago. And should others be transmitted in future to this court, we have reason to believe they will be of the same description.

Such papers point out themselves clearly the measures which they require to have adopted. They imperiously call upon this court to vindicate their own conduct, not to try mine; to either acknowledge their decisions to have been premature, or to confirm them afresh.

My present standing, the result of your decisions, numbers me among you. Defamatory papers, predicated upon any thing which may have happened previous to my deposition, meet me now in a situation, in which any private feelings I may entertain, are to be entirely overlooked. Had I been detached from the church as formerly, documents of this kind had assumed a different aspect, and I should have been compelled to meet them upon less advantageous ground. But as it is, I share the supposed blame only in common with my brethren, and any individual interest which I may have in the disposal of those papers, constitutes only a part of the general interest of this court.

I am well aware, sir, a certain kind of policy would dictate, the Irish Presbytery ought to be gratified, and that this court would consult its own character, by shifting the burthen from their own shoulders, and placing it on mine. Nothing is more easy than this. It is only to call these papers by the name of a libel; to suppose the charges they contain new, at least better illustrated than they were before, and I must once more to the

rack. This, too, will have its advantages. By this means you shall be thought, in the first instance at least, to hazard little. The measures to which the style of these papers would naturally direct, would be a firm and decisive adherence to your own decisions, which would have the appearance, at least, of opposition—yes, might probably terminate in a rupture. But by adopting the latter, you will join issue with the Presbytery; you will strengthen the bands of friendship, especially if you be determined to have me degraded. The inconsistency of your plans, and the impotency of your decisions, will more easily escape detection. Those who may be but partially acquainted with the subject, will hail you wise, and the wretched delinquent shall become an object of public execration.

But, sir, honesty is the best policy. Such a process will have its disadvantages. While it will justify you on one hand, it will render you vulnerable on the other. There are still three parties who will be able to analyse this policy, and regard it as a tacit acknowledgment of the rashness of your decisions. These are the Irish Presbytery, yourselves, and a discerning public. Should you institute a second process, you, in effect, say, that you judged prematurely. No policy, no sophistry, will prevent the thinking part of mankind from drawing this conclusion. Retrace your footsteps, institute a second trial, and you in fact obliterate your records, and acknowledge your imbecility. I shall not be so insidious as to insinuate, that this would be gratifying to our Irish brethren—but certain I am, however it may be disguised, it will be disgraceful to you. Were there papers from Ireland charging me with recent delinquency, you would secure your dignity by ordering an investigation. But I will not say the same, if you suffer yourselves to be dragged into a re-investigation of charges of four years standing: charges once and again the subject of ecclesiastical discussion, both in that country and in this, rendered hideous by popular report, raked from every dunghill, and hallowed, by being engrossed in the form of Presbyterial documents. You never will be able to obviate the objection, why did you not wait, why hasten to a decision, or to repel the odium which is affixed to weak and impotent counsels.

Before I conclude these observations, I feel myself compelled to regard the conduct of the Irish Presbytery towards me, in a light not very favourable to their character. To those who are but a little acquainted with the treatment I received from certain leading members in that Presbytery, from my first application to them for admission, the extreme measures to which they have had recourse, will appear perfectly consistent. It is not my design to defame my brethren; but, sir, there are seasons when a man is bound to speak out. The severest terms are reprehensible only when misapplied. I shall not say their conduct

is carried to a malicious length, but I shall say it is forced beyond the limits of moderation and reason. It is well known that a certain person, who has monopolized the management of the affairs of the Irish Presbytery, eagerly anticipated my fall. It is equally well known to some, that his conduct, and the conduct of others through his influence, contributed to hasten it. After the accumulated wrath of parties forced me from my country, that Presbytery proceeded, with a despatch unusual, to depose me. I was not so much as cited, although they knew my address, to appear to make my defence. On the contrary, I had written them, begging them to postpone a final decision, until I should appear, either in person, or by an official letter. My official letter was afterwards written, but knowing my hand-writing in the address, it was not relieved. In the course of a few months after my departure, without a shadow of defence, and upon a mere verbal statement furnished by two persons,* one notorious for *falsehood*, and the other for *intoxication*, I was deposed. A copy of their proceedings, specifying the charges, and their sentence, was transmitted to you. They had then done as much, as in reason ought to have been expected. It was natural to suppose, that upon depositing their documents with you, they would cease to consider themselves further concerned. This would most unequivocally have been the case, had they been actuated by pure motives alone. But, sir, they felt too much, to suffer them to be idle. They could not surrender a matter wholly into your hands, in which their passions were so deeply concerned. Although the moment they prepared their first documents for the American church, their power expired, as it respected me, yet they found themselves compelled to interfere with your conduct. It is your prerogative to manage the affairs of the Reformed church in this country, independent of sister judicatories. This prerogative they have invaded.

In their zeal to injure, they have overlooked the modifying, the *almost creative* power of circumstances. They have never had an opportunity of hearing from myself an explanation of the motives which actuated me in leaving Ireland, or the causes which impelled me to it—for this they ought to have made some allowance. The destitute state of the church in this country, demands extraordinary exertions—here, again, they ought to have made an allowance. A preacher may be useful in one country, whose usefulness has ceased in another. Admit that all the Irish Presbytery has charged upon me were true; admit that my office would at present be a mere incumbrance in that country, will it be too much for me to assert, it is not so in AMERICA?

* DANIEL PARKS and SAMUEL TAYLOR.

I grant it is in the power of circumstance to make my boasting void. God may permit me to fall, or unceasing measures may be plied to sap the confidence of my brethren, to impregnate them with the essence of Transatlantic prejudice, and compel them to regard my uprightest motives and best actions in a suspicious light. In either case, my usefulness should be blasted. But as yet it is not so—and let us not anticipate distress. Now, sir, here is another circumstance, to which the Irish brethren must have attended, had they permitted themselves coolly and dispassionately to consider the matter. I shall not say some allowance ought to have been made, for the length of time in which I have been known to the American, which is equal to the whole time I lived in the Irish church. Had our brethren in Ireland suffered themselves to be guided in this matter by the spirit of the gospel, would they not rejoice to hear of the church's approbation, and of my prosperity? Would they not gladly catch at every propitious circumstance, and make the amplest allowance? Would they not cease to ply with a malicious assiduity, their insinuations and hackneyed charges, and permit the American brethren to think and act for themselves? Would they not offer up thanksgivings to God, and congratulate themselves and their brethren, upon learning, that Mr. Graham is not the person, which, in the *hurricane of popular abuse*, they had conceived him to be? Yes, sir—But their *honour*, yes, sir, *their honour*!—

Considerations of this kind, sir, detract very considerably from the importance of any papers which the Irish Presbytery, may, either now or in future, present to this court or the world. Indeed if followed up as they ought to be, they would dislodge the angry spirit which animates their proceedings, and metamorphose them into things perfectly harmless and innocent.

There is one thing which these papers manifestly exhibit; that is, an incurable hatred. It is a lamentable thing to think of a number of reputable men, meeting to devise means to harass and persecute one, who had once the *misfortune* to be one of their number; to see them conjure up charges, which ought to have slept in peace, to carry distress after him to a far distant country, nearly four years after he had quitted their communion and country, and almost as long after they had inflicted the highest censures of the church. All denominations of men, and every individual who has fled to this country, have found it an asylum from persecution. Forced from their countries, they have found a home here, whither the fury of the despot could not reach them. Why, in the name of all that is rational, why can it not furnish an asylum to me? None ever sought its shores more inhumanly treated than I had been, or with higher expectations of having a period put to their woes. Why, I ask again, must I be an exception to the general treatment of the many thousands

of emigrants, who at this moment occupy this continent in peace? Would not every person hold that despot in abhorrence who should pursue the trembling exile to his place of banishment, and put him to the torture afresh? And shall such conduct, though shielded by the most pathetic appeals to piety and order, escape your just detestation? It remains with you to adopt wise measures, and to teach all men, that while your ears shall be ever open to the remonstrances of reason, your hearts and hands shall be firmly united to resist oppression.

I have thus, sir, ventured to make a few strictures upon the papers which relate to me, and the conduct of the Irish court. They may have been probably loose and incoherent, being the effusions of the moment. Perhaps, too, they may have discovered too great a portion of irascibility. If they should, I shall not undertake to defend them, my object being solely to dissipate the darkness which has constantly overhung the Irish documents, and to present truth, unaccompanied with either embellishment or ribaldry. Whatever expressions, therefore, I may have uttered too harsh, I hope my brethren will forgive, when they consider the trepidation and acuteness of the feelings, which a scene such as this is calculated to excite.”*

Mr. G. concluded by requesting a copy of the reasons assigned by the Presbytery of the 13th, for refusing the prayer of the petition from Canonsburgh, and an extract of that part of the Irish letter which respected himself; and begged the court would put this matter into some shape which would meet their attention, as a subject of legal investigation. It was agreed Mr. G. should have the extracts, and that his affairs should be the order of the day for the afternoon.

Soon as Mr. G. sat down, Dr. McLeod arose, and observed, “he had determined to reply, but that Mr. Graham’s concluding remarks had completely disarmed him.” The brethren were silent, and appeared to experience the same feelings on the subject with Dr. McLeod.† They concluded the sederunt with a motion, which carried, “that Mr. G.’s business should be the order of the afternoon.”

Upon reflection, the gentlemen found they had committed themselves. They had departed from the road which ecclesiastical procedure had, in all ages, pointed out. They had *anticipated a process* against Mr. G. and had not waited until circumstances demanding such a step, had regularly occurred. There was no other way of mitigating the impressions which they had commu-

* This speech the Synod clerk afterwards most shamefully metamorphosed in the *printed extracts*, p. 19. No person, who is but even a little acquainted with Mr. Graham, will readily believe that he uttered the *preposterous jargon* which is put into his mouth in those *garbled records*.

† We shall see how this conduct comports with the minutes which they afterwards published, and the process which they conducted against Mr. G.

nicated of their *unpresbyterial* measures, than to dwell largely upon the supposed delinquency contained in the papers read. It became a necessary piece of policy, to divert the attention of the people, from their own rashness and disorder, to the implication of Mr. G.'s character. A *swaggering Synodical deed* was, therefore, prepared during the interval, enjoining the Middle Presbytery to "institute a process against Mr. G. and refusing to admit him to a seat in Synod, until said process should be completed."* Thus the business was dismissed.

* "Whereas, it appears to this Synod, by authentic documents from Ireland, that the Rev. David Graham, who had been a licentiate in the Secession church, was charged by that connexion with intention to defraud his creditors; and was not received by the Reformed Presbytery until his accounts had been settled—And it also appears, that in a short time after his ordination, he was *deposed* from the office of the holy ministry, by the Reformed Presbytery of Ireland, because he had been found guilty of repeatedly asserting falsehood, and committing fraud in his pecuniary transactions; because he, in violation of his ordination vows, absconded from his congregation; and because, in presenting a false certificate to certain ministers in London, he had committed forgery. It appears, by the records of the several judicatories of the church in America, that the said Mr. Graham did acknowledge the justice of that censure, did profess deep humiliation for his offences, did request to be restored to the office of the ministry, and did both promise, and exhibit the prospect, of a speedy ability to perform the promise to liquidate all his debts in Ireland, and was accordingly absolved from the censure, and reinstated in his office. It also appears, that, after his restoration, Mr. Graham did petition the Reformed Presbytery of the northern district of the United States, for permission to continue in the capacity of a teacher in the city of New-York, for a specified time after his restoration, in order to enable him to discharge his debts—which permission was readily granted. It, moreover, appears, that said Mr. Graham has been called to the pastoral charge of the congregation of Canonsburgh, under the care of the Reformed Presbytery of the middle district of the United States, and has accepted that call; and that said Presbytery has hitherto abstained from carrying the settlement into effect; and, whereas, a *fama clamosa* exists, to the grief of the godly, and to the great scandal of religion, and of this church in particular, that said Mr. Graham, after having made the aforesaid professions of humiliation for his sins and scandal, and of a resolution to discharge his debts; and after having pledged his word by letters to Ireland, speedily to do so, has disappointed these expectations—has not only discharged his foreign debts, but also has involved himself in this country; that he has not proved true to his contracts; and that instead of that exemplary humility and diligence, in christian and ministerial duties, to which his own promise had pledged him, and which former falls under scandal, and consequent censure, might be expected to produce in a mind truly penitent and pious, his deportment is equivocal, frivolous and extravagant. And further, that in the reasons urged by the Middle Presbytery for refusing to install Mr. Graham in Canonsburgh, are implicated charges which demand a process for trial.

Now, therefore, to the end that the purity and edification of this church be promoted, that her faithfulness to God, and the dignity of her discipline be duly supported, it is hereby enjoined, by this Synod, on all the subordinate judicatories, to abstain from any steps toward the settlement of said Mr. Graham in any congregation, until said *fama clamosa* be fully tried. It is also enjoined upon the Reformed Presbytery of the middle district, under whose inspection Mr

Nothing could exceed the confusion of the whole of this business. The court first set out with ordering the general business which lay before them—they were then called to order at the solicitation of Mr. G. respecting the introduction of a member—they boggled a little upon that subject and dismissed it—they again resumed it, as if by accident, in the course of reading the minutes of their judicatories—they attended to the paper of reasons, only as they criminated Mr. G. and without discussing their relevancy, or pretending to sustain them—they introduced papers from Ireland before they had finished the reading of their minutes which had been ordered—they ordered Mr. G.'s case for discussion in the afternoon, but had a deed prepared in the interval to set aside the order—and they finally agreed to refuse Mr. G. a seat in Synod, upon vague report, and while they permitted him to occupy his office.

Mr. G. had uniformly discovered a wish that the Synod should finally discuss his case, since they had taken it up. He resumed his request in a still more specific form, on the last day of the session, and urged as a reason, the incompetency of the Middle Presbytery to try the cause, the whole of its ministerial members having prejudged it, which he proposed to prove. The court refused to resume the subject, or to cognosce the competency of the members of the Middle Presbytery.

We, the undersigned, who were present during the time to which the above transactions refer, do attest the truth and correctness of the narrative.

THOMAS HAZLETON,
Ruling Elder and Member of the court.

JOSEPH COOPER,
Commissioner from Canonsburgh.

You will be surprised, my dear friend, that all this time no attention was paid to the eight reasons of the Presbytery of the 13th. You will be ready to enquire, for what purpose were they forwarded to Synod? If any legitimate end was had in view, it must have been to have the act of the Presbytery justified, by

Graham now is, to institute, with all speed, a process, which shall try the truth of the aforesaid *fama clamosa*, and so defend the reputation of Mr. Graham, if the charges be unfounded, and defend the reputation of the discipline of this church, by the exercise of suitable censure, if he is found guilty. And it is, moreover, enjoined upon all the other judicatories, and all the members of the church, to aid the said Presbytery in procuring all necessary information to bring the said trial to a just, impartial, prompt, and faithful issue. And it is further ordered, that the said Mr. Graham shall not be admitted to a seat in this Synod until said trial is held and completed; and that a copy of this determination be delivered by the clerk of this court, duly certified, to the Presbytery of the middle district, and to the congregation of Canonsburgh.

Extracted, by order of court, from the minutes, at the request of Mr. Graham.

JOHN BLACK, S. Clk.

New-York, 17th May, 1811."

sustaining their paper of reasons. If this was the design, it was defeated, for the paper was never once alluded to, after the reading. The only end besides this, which could be supposed to be in view, was to expose Mr. G. If we admit this to have been proposed, there is a consistency. It is in perfect unison with the conduct of the persons who composed the court, who uniformly manifested a wish to prejudice the public against Mr. G. by calumniating papers and reports; but who seemed studiously to avoid a fair investigation. Their fixed intention was to degrade Mr. G. in public estimation, to prepare the way for a judicial degradation. They knew, where the mind is prejudiced, the slightest pretext will do for the disgrace of the object of prejudice. They displayed a knowledge of human nature by the measures to which they had recourse, but they discovered a destitution of evangelic piety. Mr. G. understood their policy. He had learned by bitter experience, that their ecclesiastic government was conducted upon the principles of caprice and intrigue. He saw that they were determined either to degrade him in their communion, by a constant and systematic opposition; or to compel him to abandon it. The former was to him much more an object of dread than the latter. He also knew it was impracticable to have either respect or testimonials, adopt what plan he would, on leaving them. Under all these circumstances, he wished to hasten out of their communion, and for that purpose conceived it most eligible to stimulate them to action, and to prepare to defend himself with courage. Rather than have recourse to tame submission, in a case of injustice so flagrant, he determined to put his mean adversaries to defiance, and lodge his appeal with God and an impartial public. In this view his above remarks will appear perfectly consistent. It was impossible to deal animadversions upon the conduct of the Irish Presbytery in terms too harsh. To treat with mildness such conduct as they had uniformly adopted against him, would have been an abuse of speech. It is only to be regretted that he did not anticipate their conspiracy against his reputation and office, and snatch himself sooner from a community, where *imposture* is matured into a *system*, and whose *repulsive* manners fostered in obscurity, have enabled it to elude public reprehension.

I am, &c.

LETTER IV.

MY DEAR FRIEND,

I PROCEED to call your attention further to the narrative.— Upon the return of the members of the Middle Presbytery, May 24th, they constituted and proceeded to take order on the case of Mr. Graham. The court opened by reading the deed of Synod. They next read a letter which had been addressed by Mr. Wylie to the Synod, surcharged with calumny, containing his judgment relative to Mr. G.'s case, and begging the Synod to proceed to "*strip the wolf of the sheep's clothing.*"*

It was then moved by Mr. Wylie, "that Mr. Graham be suspended from the exercise of his office, and that the trial of his case be deferred until the month of August." The motion was seconded with ardor, and quick as lightning would have carried, but that Mr. G. was permitted to speak, in compliance with his request.

He objected to the constitutionality of such a measure, before the court had enquired into the relevancy of the alleged charges, the source in which they originated, or the probability of proof; or had heard what explanations he might have to offer. He conceived it cruel and oppressive, to dispense one of the highest censures of the church, while as yet not a single charge was preferred in form against him. He informed the court, that should they proceed in so arbitrary a manner, he should be compelled to protest against their measures. He hoped they would first proceed to put vague reports into some shape, and distri-

* This gentleman was so involved in the business of a *school*, that he could not wait upon the *Synod*. He, however, contrived a very convenient method of attending to both. While he taught school during the day in Philadelphia, he judged at night of the proceedings of the court in New-York, and despatched *his judgment*. What an expenditure of labour and expence would such a method of transacting business prevent! Ministers of Christ need not lose many hours in the management of the weightiest concerns of the church. They have only to snatch a moment from some *lucrative employment*, to transmit their opinion in writing to a few, who can be easily obtained to drudge in ecclesiastical business. If this method should be objected to, we can oppose fact to the objection, which is always the most convincing. Mr. W—, at one hundred miles distance from the court, on a case of great moment, a discussion involving the reputation, and the office of an ambassador of Christ, after as much deliberation as a more *money-making-business* would permit, sat down and wrote "*strip the wolf of the sheep's clothing,*" and addressed this as his *official judgment* to the Synod. What a happiness that such judgments are of little weight in the true church of Christ! Amidst such confusions as these, an office conferred by the REDEEMER, must stand as imperishable and unshaken as a rock, attacked by fogs and vapours. His "gifts and callings are *without repentance.*"

bute the charges into some specific form, before they would gravely talk of any decision upon the case.

It was contended by the court that it was a *fama clamosa*;* that Mr. G. had no right to receive it in the form of charges, nor to have the witnesses names appended; that it was hard to say what should be the number or the nature of the charges, or who should be the witnesses, as the Synod had enjoined all the subordinate judicatories, and all under them, to aid in collecting charges; that they might be growing until the moment the court should enter upon trial, and that as scandalous reports, they should be at liberty to take them up, without assuming the form of charges, specifying witnesses, or allowing time for defence.

Mr. G. begged leave to remonstrate. He could not see the force of the reasoning of the court, and thought their practice would generate, if adopted, into oppression. It was vain, however, to remonstrate, since the court had given its opinion. He would, however, beg leave to object to a procrastination of the trial. It appeared to him not only unnecessary, but, all things considered, unjust. That the Presbytery of the 13th had decreed to try the matter immediately after the return of the members from New-York, witness their minute; that the Synod had enjoined an immediate investigation, and had taught Mr. G. to believe, it would not be unnecessarily delayed; that there appeared to him, no satisfactory reason for delaying it, nor any valuable purpose that would be answered by it; that he knew, in cases of great enormity, when the scandal was publicly circulated, and generally believed, when the witnesses could not be conveniently had, and the usefulness of the church officer was destroyed, until the case should be investigated, suspension and procrastination had been practised. Even then it was not customary to postpone the matter more than ten or fourteen days, *i. e.* when suspension was used as a precaution. But here was a motion requiring suspension for some months, which, whatever gloss the court might put upon it, would be a punishment; a serious punishment, while not a single accusation had yet made its appear-

* *Fama Clamosa* signifies a crying or clamorous report. A process instituted upon it, differs from other processes only in this, that there is no formal accuser necessary. It may be assumed upon public report. But when instituted, it is subject to the same laws with a process which requires an accuser. See STUART'S COLLECTIONS, book iv. title iv. sections 9, 10, 11. The jargon which the court uttered, upon the mode of instituting and conducting a process on a *fama clamosa*, was probably the result of ignorance, but more probably of design. They found confused and indefinite views best adapted to their purposes. A process which would admit of scurrility for argument, report for proof, would have been the most eligible for them. A *fama clamosa*, both on account of the difficulty of the phrase, and the confused manner in which it has been generally treated, might be more easily manufactured to subserve their designs. It is sometimes the interest of lawless factions to illustrate, but oftener to darken and perplex.

ance in form, much less had been proven, while the reports alleged were not enormous, nor publicly circulated, nor generally believed, nor was his usefulness in the least affected.

It was observed by the court, that Mr. G. could not be put in possession of the extracts which he had demanded, nor was the court prepared to take up the case, as time ought to be allowed to *collect charges*, in obedience to the injunction of the Synod, and, therefore, the trial must be postponed.

Mr. G. replied—As it respected himself, extracts had been asked of the Synod, the clerk was ordered to write them, and engaged to have them in readiness upon his appearance in Philadelphia—he hoped he had fulfilled his obligation.

Moderator. "The extracts are not prepared, nor cannot, in time for an immediate trial."

Mr. *Graham.* "You engaged to have them for me, upon your appearance in Philadelphia, and this in open Synod."

Moderator. I did not.*

Mr. *Graham.* "I appeal to your brethren who were present."
[*Here the court interfered, and ordered Mr. G. to silence.*]

Mr. *Graham.* "I do not insist further upon it. I hope the court will not *unnecessarily* delay the investigation—the principles of justice call for an immediate discussion. Should this court persist in refusing my request, it may compel me to measures, which they may have as much reason to regret as I shall."

Moderator. "You are a culprit, and have no right to expostulate."

Mr. *Graham.* "I am not a culprit; you are labouring to prevent it, by refusing to put me on trial. I beg the court to hear me. I request, that the clerk of the Synod, who engaged to furnish me with extracts, should have a competent time to prepare them, say one day or two, and that the Presbytery immediately after resume its sittings."

Moderator. "This cannot be granted."

Mr. *Graham.* "Put the question to the court."

Moderator. "You have no right to direct us."

Mr. *Graham.* "But I have to request. I shall not, however, insist upon this. Rather than unnecessarily delay the investigation, I shall engage to meet it without the extracts, and at *five minutes* warning. I only request, what I believe is my right, to

* Mr. G. had himself applied to the Synod for the extracts. Mr. Hazelton afterwards applied. The Synod, in both instances, ordered Mr. Black, the clerk, and who was the *moderator* in the Presbytery now sitting, to have them prepared for Mr. G. on his return to Philadelphia. His denying this in Presbytery was in perfect harmony with his declaring in open Synod, "that he knew nothing of the charges contained in the *paper of reasons*, until he came to Philadelphia," although hundreds can prove that he himself had industriously propagated them, several weeks before he left the west.

have a liberty of appealing to your records, and having them read, as I may see it necessary, in the course of the trial."

Moderator. "That you cannot have, they are private property; they are put into my hands *to be kept*; I cannot suffer you to draw upon them *in any wise*—I have received them to have them printed, and you shall see them when they are seen by *every person else*."

Mr. Graham. "I desire these observations to be recorded in the memory of every person present. You were enjoined by the Synod to furnish these extracts, and now you refuse them, until you present them to the world; I shall not see them until they can no longer be kept from my view. You are, moreover, determined to print *imperfect and mutilated extracts*, as they respect me, with all the farrago of slander and defamation, raked up from every quarter, and that too before the matter has assumed the form of charges, been discussed or decided. If it is not arbitrary and oppressive, to hold up a man's character in printed documents to public odium, *unaccompanied* by the slightest investigation or defence, I know not what is. Depend upon it, sir, your declarations will do you little honour."

Moderator. "It is a *fama clamosa*, and not to be subjected to the niceties of formal investigations—it will be published only as a *fama clamosa*."

Mr. Graham. "The phrase *fama clamosa* is very broad and undefined indeed, and much in use by *vindictive* and arbitrary ecclesiastics.

You have now, sir, denied me even the liberty of appealing to such of your records as might be conceived useful to me in making my defence. You have, at the same time, reserved to yourselves a liberty of availing yourselves of these documents in the course of the trial. If you are authorised to appropriate these to the trial, you must either use them indiscriminately and without regard to either side of the investigation, and then you shall grant my request; or you intend to use them only against me, and then you are partial, and unqualified to produce a just judgment." Here they *availed themselves of the document of the Synod*, which, Mr. G. contended, applied equally to both sides, otherwise it was glaringly partial. It was next moved, "that so much of the business should be gone into by presenting the libel, and hearing the deposition of witnesses, as would lay further ground of suspension." Mr. Wylie abruptly called upon several witnesses, if they were present, as if he meant the court should proceed to hear the witnesses, before the charges had been preferred. He explicitly professed himself able to prove charges of swindling, &c. not, however, to the court where Mr. Graham was restored. He called the witnesses. Mr. G. begged them to consider the illegality of their proceedings, and how unconstitutional it would be to open the case by deposing evidence

against him, without previously allowing him at least ten days, to make objections to the witnesses, as was decreed in books of discipline.*

Mr. G. moreover, objected to Mr. Wylie's sitting in judgment, being *libeller*,† and having committed himself so manifestly in his letter to the Synod. Here Mr. W. observed, "he had wrote his judgment." Mr. G. "Yes, before you heard the cause." Mr. Wylie was, notwithstanding, sustained, the moderator assigning for a reason, ludicrously enough, that it was a *fama clamosa*. Mr. G. next observed, that Mr. Black, the moderator, had prejudged the case before he left Pittsburgh, and objected to his sitting on the trial. This was overruled. Here Mr. G. observed, that it was not a matter of much moment, since they were manifestly *conspiring* against him; that he had been expressly told by a member of Synod before he left New-York, he must be degraded. Mr. W. withdrew his original motion. It was then moved, that to prove the libel should be the order of the day for to-morrow.

Court adjourned.

PHILADELPHIA, May 28th, 7 o'clock, A. M.

The Presbytery resumed its sitting. Mr. G. was presented with a *libel* in form, as follows:

"Whereas, a *Fama Clamosa* exists to the grief of the godly, and to the great scandal of religion, and of this church in particular, that you, Mr. D. Graham, minister of the gospel, are guilty of the following scandalous practices:—

I. Of withdrawing that profession of repentance, on the footing of which you were restored to the exercise of the office of the holy ministry, which appears by the following proofs:

1. Your own words in open court.
2. Your attempts always to justify your conduct against the Irish Presbytery, representing yourself as the injured person.

II. Of employing your ministry to the injury of the church, as appears by the following evidences:

1. Your endeavouring to sow the seeds of discord among your brethren in the ministry.
2. Your calumniating and abusing the foreign ministerial connexions of this church.
3. Your abusing and calumniating the Synod of the Reformed Church in North America.

4. Your calumnious conduct in Mr. Wylie's congregation, in conversation with Dr. McKinney.

III. Your being guilty of swindling in Belfast, in matters unknown to this church at the time of your restoration, viz. In obtaining money from Mrs. Martin, by means of a false token from

* See Stuart's Collections. Book iv. Title iv. Section 10.

† Mr. Wylie had, since the court commenced, undertaken "to prove the charges," which brought him under the denomination of a *libeller*.

Mr. Becket. Also attempting to obtain money from said Mrs. Martin, on the day after your elopement from your congregation. In borrowing money from Mr. Moore of Belfast, for your brother, for which you became responsible, while there is every reason to suspect you did not intend paying it.

Witnesses—*Oliver M. Becket, William Jamison, Andrew Jamison, John Jamison.*

Now, therefore, this court do charge you, Mr. David Graham, with the above scandalous sins; and hereby put you on your trial agreeably to the requisition of Synod; at the same time availing ourselves of whatever is alluded to in the minute of Synod.

Signed by order of Court,

JOHN BLACK, Moderator.

SAMUEL B. WYLIE, Presb. Clerk.

Philadelphia, May 25, 1811."

Upon receiving a copy of the libel, Mr. G. enquired why the *eight* reasons framed by the Presbytery of the 13th, and transmitted to Synod, were not inserted in the body of the libel. It certainly betrayed an impotent, yet fixed design to injure him, to form reasons replete with reproach, and hold them up to public animadversion, and not allow him an opportunity of exposing their falsehood. It was still more extraordinary, that while these reasons, which imperiously demanded discussion, were abandoned, the court had constructed the two thirds of the libel out of occurrences which had transpired since the meeting of Synod. To call these things by the name of a *fama clamosa*, and to constitute them a ground of prosecution, manifested at once an unreasonable determination to prosecute, and the poverty of the materials for a prosecution.

The court had, moreover, overlooked the *fama clamosa* specified in the Synod's deed.* This shewed both the Presbytery of the 13th, and the Synod, had acted prematurely. They had each in their turn invested reports with an official and important dress, and they had each in their turn been compelled to abandon them. They were perfectly aware, from the first, that it was contrary to the laws of the church, not to have an explanation from himself, nor to enquire after the origin of the charges, and the probability of proof, before they should have gravely talked of commencing a prosecution. They had, however, a design, which could not be accomplished, by attention to correct discipline. It was, to prejudice the public mind, by an official detail of scandal. This they knew could be in a great degree accomplished, without the necessity of proof. For "who could think of a court of Christ (would the public say) dealing in mere detraction? Certainly there must be some ground for such reports, otherwise these

* See the deed, p. 44.

holy men would never have agreed to expose them." This the court knew ; and, to do them justice, they had drawn sufficiently deep upon the credit due to ecclesiastical judicatories. They ought, however, to have calculated more rationally, and either to have adopted no charges but what they had a reasonable hope of proving, or, seeing they had detailed them in their courts in the face of the public, to have prosecuted them so far as to allow Mr. G. an opportunity of explaining and defending himself. As the matter stood, he had been exposed in a public and *authoritative* manner, the pernicious impression was communicated, the deep injury was effected, and the slanders which accomplished it were suppressed. This was manifest injustice ; he hoped the court would consider it.

To this no answer was given, but "that he was not to frame the libel, and that he was impertinent to dictate to the court."

Mr. G. next objected to the third charge in the libel, as unconstitutional, relating, as it did, to offences, which, if they were committed at all, must have been committed before he left Ireland.

The court observed, that "he had withdrawn his evidences of repentance, and they were, therefore, at liberty to prosecute him upon the old charges, for which he had suffered deposition."

Mr. G. contended, that it was not true he had withdrawn his evidences of repentance ; that it had not been proved he had, and that to bear such a ponderous inference, it was necessary the premises should be established by irrefragable proof.

After a scene of great confusion, and much warm altercation, on this subject, during which the moderator became so disorderly as to forget his seat, and to address a member of court, as moderator, Mr. G. begged to permission to speak, and spoke as follows :

"*Reverend Moderator*—This is a matter which must not be shuffled aside by sophistry, nor crushed by a wanton use of power. The seat you occupy, sir, you hold under Christ; and if you prostitute it to disingenuous reasoning or oppressive measures, you ought to recollect, he is swift to punish. Two priests, as dignified by office as you are, presumed to abuse that office. They offered *strange fire*, emblematic of that *false zeal* and *apparently malevolent ardor*, which my brethren but too obviously display, and they perished with the *stained censers* in their hands.* You are about to institute a process upon the footing of charges, for which I have already suffered much. The third charge in the libel respects things which are supposed to have existed previous to my leaving Ireland. Either these things were known to the Irish church previous to the censures they dispensed, or

* LEVITICUS. chap. x.

they were not. If they were known, it is proverbially unjust to resume them as subjects of ecclesiastical investigation, under any pretence whatever. If they were not known, the general charge of fraud which that court pretended to establish, and for which they inflicted censure, embraced them. In either case, it is illegal to put them into my hand in the form of a libel.

You will permit me, sir, to be explicit upon this subject, it being a point of constitutionality and of right. I shall admit you are able to present a more minute detail of the underparts of former charges, certain circumstances which were not formerly mentioned; but these no more constitute separate charges, than the several circumstances accompanying intoxication, form so many grounds of charge, distinct from intoxication itself. I see a man drunk in the streets, he jostles one, insults another, and laughs at a third. I am called to give testimony against him. He is charged with intoxication. I mention the above circumstances. These are regarded, not as so many distinct charges, but as facts concurring in evidence to establish the original charge. The original charges against me are still in your hands. They are either recorded in your minutes, or contained in the original documents from Ireland. To them I appeal. They stood in the investigation of the Irish Presbytery in four distinct charges. One of these charges me with fraud.* It is followed up with several circumstances, which they conceived to prove and aggravate the misdemeanor. Are not the libellous representations contained in the third item of the libel reducible to the above? If they be, still the charge is the same. More perspicuity and force of evidence, arising from circumstances not formerly attended to, cannot either change the nature of the charges, nor add one to their number. These circumstances, it may be said, render the original charges more demonstrable, and give them aggravation. True, but did not the Irish Presbytery sustain them as clearly proven, and can they be more than proven? Did not the Irish Presbytery believe them sufficiently aggravated to call for deposition, and was it in their power, or is it yet in their power, to inflict a greater censure? Did not this court, in 1809, sanction the judicial proceedings of the Irish Presbytery, *i. e.* sustain the charges as they had done, and approve of the act of deposition?† And is it possible that volumes, written out in the plainest hand, filled with evidence and aggravation, could have produced more? No, they could not then, nor can they yet, with all the additional perspicuity and weight of evidence, do more than believe the facts to be true, and give their full assent to the sentence of deposition. If the charges are in substance the same as formerly; if they were sufficiently clear and flagrant

* See printed extracts, p. 5. art. iv.

† See printed extracts, p. 7.

to call for their being sustained, and for consequent deposition; if they have been as clear and circumstantial in a legal sense, as to justify a positive decision, first in Ireland, and afterwards in America, what in the name of common sense can be intended by suggesting the propriety of a re-investigation? Will any one say, in justification of this measure, the facts maintained here are new, and evince with greater perspicuity and force, the truth of the charges? What! had you not evidence sufficiently clear to compel you to sustain the truth two years ago, and can you, or do you, expect more than proof, by a discussion of the same charges? But if these imputations be true, the conduct is more aggravated than we expected. What! more aggravated than to merit deposition! more aggravated than the colouring given to the charges in the original Irish documents, which I blush to mention! No, my brethren, you knew every thing worth the knowing, and you knew it through a medium which added distortion and enormity to a few simple facts easily accounted for; what you did not know, and what of such this libel may be supposed to contain, are the dregs of popular reproach, excrescences which have shot forth rank from the passions and prejudices of a few interested individuals. Instead of indulgence, they demand the pruning knife. They are distempered effusions which call for the hands of the physician, not of the judge.

With what pretensions to reason and order shall I be called upon to answer these calumnies? such they are, such I can prove them to be. If there is the slightest pretext for shifting the enormous load of defamation and unprovoked reproach which this libel contains, upon my shoulders, let it be shewn. Let it be made appear, that the libel contains charges which have never been discussed, and founded upon conduct since 1807; let it be shewn that it appears in the proper time, and that your previous decisions have left the case open for its discussion; let me, let the world, be satisfied, that there is a necessity for degrading me to the situation of a culprit, and placing my office in a hazardous predicament, and I shall consent to a trial. But let no person imagine that I shall be either *duped* or *intimidated* into a compliance. I wish to hear something more than declamation: nor will invidious references to the copious defamation which is contained in the Irish papers convince me that I am lawfully inculpated. You have already judged and decided, and I fear you cannot retrace your former steps without disgrace.

But why, brethren, could you dream of putting me, a brother, to the torture unnecessarily. It is only two years since I had your sympathy. In the midst of all the charges that are now impertinently forced upon you, and of the *overwhelming eloquence of your Irish brethren*, you felt for the victim of their indignation; you spoke, you acted, as if you believed him compelled to adopt desperate conclusions. You believed his conduct extenuated by

a multitude of circumstances, which your brethren had not an opportunity of knowing. Some of you have gone so far as to think the hurricane of temptation which overset me was almost irresistible. You even adventured to communicate your opinions to others, that there was something about the whole of the conduct rather calculated to do honor to the party, than to disgrace him.* You wrote, you spoke, you acted, after my restoration, for a little, as if you believed you had done your duty, and appeared to exult in what you had done. Compare this with the present frame of mind which my brethren appear to possess, and it will require some ingenuity to explain away the apparent inconsistency. Have you, sir, or any of my brethren, received provocation from me, or are you in possession of any *solid* circumstance, or any other than groundless reports and unreasonable suspicions, which has transpired since your last meeting in 1809, to compel you to repent of your conduct in admitting me to fellowship, or to plot my disgrace. I declare most solemnly I know of none. And if you, or any of you do, be candid and produce it. It is not in your libel. This you shall be convinced of perhaps, when it shall be too late. If you cannot produce something of this kind, sir, depend upon it there is a contrast between your conduct in 1809 and 1811, too flagrant to escape detection. I speak in the honesty of my heart, when I tell you, there appears a chasm in the uniformity of your transactions as they respect me, so great, that no artifice, no policy, no tortured explanation of any thing now before you, will be able to repair. Unless I suppose some dislike has been taken by some individual or individuals, who have had address enough to make it general, by working upon the passions or sensibilities of their brethren, I am utterly at a loss to account for the sudden and unexpected turn which my affairs have taken. Allow me but this as a key, and I shall unlock the mysterious cabinet, and expose the policy which lurks within.

After all, sir, suppose I should consent to a second trial upon the Irish affairs, what security could this court give me, that this would be the last trial on this subject, and that I should afterwards enjoy protection? All the security they can propose, is their decisions. These I have already had, yet I am not secure. With as little formality and as much freedom, as if no such decisions ever had existed, has a paper relative to the very case on which you have decided, been put into my hands. Who will guarantee me, that nothing like this shall ever occur again? I refuse to take for my security *protested* decisions, and hope, if

* Mr. Wylie, in the month of April, 1810, wrote Mr. Knox, President of Union College, Baltimore, that all the circumstances of Mr. Graham's emigration to America being known, they were calculated to do him honor. This Mr. G. had from Mr. W. himself.

if this court still insist upon trial of the Irish charges, they will assign some reasons for a measure so extraordinary, and condescend to direct me to something which will satisfy me, that I am not again to be abruptly torn from my seat as a fellow presbyter, and rudely and wantonly exposed to ruinous and destructive prosecutions.

Permit me, sir, to entreat you to think and reflect maturely before you advance in this business. You are charged with rashness in one instance already, and do not attempt to vindicate your conduct by rushing again into measures prematurely. The issue I admit may be serious. It will be so, if this court suffer themselves, either by their own feelings or the seductions of their brethren, to be seduced from the direct path, which if I mistake not, consists in defending their own conduct, not in impugning mine. If you still persist, without law or reason, to institute a second trial upon old charges, the oldest member in this court may live to repent it. The measure I believe to be unconstitutional. Whatever is so, is dangerous as a precedent. It will be as much the interest of every member of this court, as it will be mine, to oppose it. The case is mine to-day, but it may be yours at a future period. And are you certain, sir, that this very case will not be drawn upon as a precedent to inflict unnecessary distress? You have only the existing belief of the interest you have in the feelings of your brethren, to assure you that it shall not. And, sir, believe me the security which originates in feelings is very uncertain. If a fixed principle be wanting, and precedent against you, you may arrive at a situation such as mine, in which you will exult sparingly in the professions of fraternal *friendship*.

But, sir, admitting a right to review these charges and even to reverse decisions, the delinquent has suffered punishment for his delinquency, and can that be reversed? No sir, in the midst of the destruction of your records and decisions, the fact of punishment actually inflicted, will stand as imperishable as a rock. Have I not suffered punishment? you cannot deny it. In Ireland and in America? Yes. Can the Synod annul that punishment? No, no more than they can create a world.—Again, does not the admission of a trial involve in it the probability of a verdict against the defendant? Certainly. And should the court in the issue of this trial find such a verdict, what would follow? Punishment. But we have had one punishment already, and this makes two. Two punishments for the same offence! How, sir, will this comport with justice? You, sir, have great power. Perhaps you scarcely know the plenitude of your power. But great as it may be, sir, you will certainly tamper with your reputation, if you put yourselves in a posture which may lead you to punish twice for the same delinquency. What no court upon earth which is not lawless and absolutely despotic, would attempt, will I trust be treated

by this court with the horror it deserves. Sophistry, zeal, logic and metaphysics, may find you in subtle distinctions, false conclusions, and perplexing debates, which in opposition to the most genuine deductions of reason, may furnish a pretext for the measure. But, sir, however these may do for the purposes of argument, they are too unsubstantial to support the reputation of a "court of Christ."* Facts, solid arguments, irresistible evidence, clear cases, candid discussions, just decisions, are the only suitable materials for them to deal in. Jesuitism and finesse, chicanery and sophistry, intriguing metaphysics, are every where detestable, but incomparably more detestable in a *church of Christ*.

I therefore object to the measure as unconstitutional, which proposes to institute a trial respecting charges of four years standing, which, if not with all the circumstances contained in this libel, were yet in substance, investigated and decided upon first in Ireland, in 1808, and afterwards in America, in 1809—I further object to the constitutionality of a measure which calls for a second trial, while the judges and the charges are the same, neither more nor less, than they were in 1809, when this matter was investigated and decided."

It was objected by the court, "that the court was not the same; that the Presbytery met and proceeded to judge the case under the authority of the Synod, which being a court superior to a Presbytery, it had a right to enjoin a review of the conduct of the Presbytery which dealt with Mr. G. for restoration; and if it saw proper to annul its proceedings, and order a reinvestigation. That it had ordered a reinvestigation."

Mr. G. "The Synod has not ordered a reinvestigation. I appeal to its deed, which see. Again, I shall admit the courts are different; yet in the organization of yourselves into a Synod, you must of necessity have agreed to sustain all deeds which you made while you existed in the form of a Presbytery;† I shall however admit, that you have now a power to review those deeds, and either approve or disapprove; but even with this admission, sir, one would think, it is your own Presbytery you have to deal with, and not me. By taking up a case, and investigating and deciding, a Presbytery interposes its presence between the delinquent and the Synod. You must first remove their decisions out of the way, before you can come at me. But you cannot remove those decisions and be consistent; for you have already sanctioned them.

It may still be replied, a Synod has a power to re-examine the records of its several Presbyteries, and that since a Presbytery decided upon my case, it is not unconstitutional in this Synod to review its proceedings, and if found necessary, to annul its deci-

* This was the hackneyed appellation which the members of this court afterwards constantly employed to justify their decisions.

† This had been forgotten in the original constitution, but was supplied in form at the late meeting of Synod.

sions, or to authorise a Presbytery to do so. I admit it was a Presbytery investigated my case. I admit a Synod has the power to review the proceedings of a Presbytery, and to reverse its decisions; and yet I deny that this Synod can review, much less reverse the decisions of that Presbytery which judged in my case; least of all, that it could authorise an inferior court to review, reverse and reinvestigate, without the grossest inconsistency. That Presbytery was placed in a situation, widely different from any Presbytery existing under the inspection of a Synod. The Presbyteries which now exist in this church, are under the inspection of the Synod, and are necessarily amenable to the Synod as a superior court. It is therefore in the power of the Synod to call these Presbyteries to an account.

But that Presbytery was never, even for a second of time, under the inspection of the Synod of this church nor of any other. It was never an inferior court, existing under a superior. It transacted business as the *highest court* in this church, and from its decisions there was no appeal. It virtually possessed as much power as it respected the members of this church, as if it had been clothed with the form of a General Assembly. There was no period in which that Presbytery had less power than this. While a Presbytery, so empowered and modified, existed, it was impossible in the nature of things, that a court superior to it could be organized. This observation you acknowledged with all its force, when you found yourselves reduced to the necessity of dissolving and annihilating the Presbytery before you proceeded to organize your Synod.* You found it impracticable, to reduce that Presbytery to an inferior court, or to erect a superior, while it remained in existence. And, sir, when you annihilated that Presbytery, and organized a Synod, you did no more than transfer the power which the Presbytery originally possessed, into a court with another name. You gave this Synod the very same extent of power over its Presbyteries which that Presbytery held over its committees. That is, sir, this Synod has no more power over the church, than that Presbytery had. I believe, sir, you should find it very inconvenient to contradict this. Now, sir, none of the Presbyteries which at present exist under the inspection of this Synod, will furnish a parallel to that Presbytery which judged in my affairs. Your existing Presbyteries are only parallel to the committees of that Presbytery. If you wish a just parallel to that Presbytery, I refer you to the Irish Presbytery, or to the Presbytery of Scotland, who each hold themselves independent judicatories, from which there is no appeal.—These things premised, we shall easily ascertain whether this court, or even the Synod, has any power to disturb the transactions, or reverse the decisions of the Presbytery. I say it has not. That Presbytery never stood amenable to the Synod. How could it, when the Synod

* See printed extracts, page 13.

did not begin to exist until that Presbytery had expired? Courts which may legally reverse the deeds of other courts, require a paramount authority; but the Synod had not an authority paramount to that Presbytery, which supposes that they co-existed together; nor has even at this moment a power superior to that, which the Presbytery while standing, possessed. It was the highest court; this Synod is no more. It had power adequate to manage all the concerns of the church; this has no more. It was independent of every other court, amenable for its decisions to none, and from it there was no appeal. I should be glad to know whether more can be affirmed of the Synod? and if more cannot be affirmed of it, if it has not a paramount authority, if it never had a power over that Presbytery, if it possesses only the power of that Presbytery under another name, if that Presbytery by no constitutional law stood amenable to it, nor to any other; how then should the Synod, without a flagrant violation of the constitution of that Presbytery, pretend to review its transactions, in order either to sanction or reverse its decisions?

Permit me to ask you, sir, what would be the consequence of not recognizing the Presbytery's deeds, or of reviewing any one of its transactions judicially, with an intention to have a re-investigation? it would lead to a review, a re-investigation, and probably a reversion of the whole of its transactions and deeds. What reason can be assigned for re-investigating one part which would not equally apply to another? If you, sir, be at liberty to call for a re-investigation of the part that concerns me, I have an equal right to call for a re-investigation of those deeds which respect you, or any other of my brethren. If not, evince the propriety of singling out this solitary instance from a mass of particulars, while the rest must sleep in peace. I must not be told the court has a right to do what it pleases. The engine of power may silence, but it cannot convince. It is not what this court can do, but what it can do with propriety; what it can do agreeable to those laws, by which a court such as this is, ought to suffer itself to be regulated. I believe such a measure to be unconstitutional, that is to say, I believe it contradictory to the approved standards of the Presbyterian church; for as yet it appears we have no constitution peculiar to ourselves to direct in church government. I have taken the liberty to assign the reasons, as the evidence on which my belief rests.

Were it possible, sir, to institute a fair and impartial investigation of my affairs, from first to last, no person would have more reason to rejoice in it than I. I have to regret that I have been condemned unheard. That neither by person nor proxy, word nor writ, have I had an opportunity to defend myself. When it is considered that the same Presbytery which has written the Irish document has been so indefatigable in its efforts to criminate me; was my judge; that they had the sole and exclusive

management of the trial ; few will be surprised, if I should most ardently wish a reinvestigation. But this can only be reached by the agreement of all the parties concerned to cancel all their records, and to assume the matter in its original shape, allowing the defendant those privileges which he enjoys by the constitution of all courts. To this, I as one of the parties, shall most cheerfully agree. Nay, if but a single brother will give it as his probable opinion, that the other parties will consent to it, I shall engage to have them petitioned. But to talk of a reinvestigation of delinquency, while the former investigation stands recorded, and the decisions unrepealed, appears very extraordinary. What kind of a trial must that be, where decision is past before the case is heard ? I have seen a trial of this description. A United Irishman who was tried with the rope about his neck.* I have once already been called to defend myself against these very charges ; the very instant after, it was carried unanimously to sustain the decisions of the Irish Presbytery respecting these charges.† I saw the palpable absurdity at the time : But I also saw the awkward situation of the court. They wished to preserve the respectability of their sister court ; at the same time, I could easily discern their dispositions were favourable to my cause. I cheerfully submitted to this piece of mockery, and proceeded to offer a few observations in explanation and defence, as if I had not recollected the court had just determined, before I began, to abide by previous decisions ; that is to say, not to hear me. My defence might have a place in their breasts, but it was impossible it could have a place in their judicial proceedings. Such, of necessity, must be the trial which I should now expect. The Irish decisions and your own are still to be adhered to, the charges are to be sustained as fully proven. Although neither I, nor any person on my behalf, ever heard the witnesses examined, nor have I even now an opportunity of so much as knowing who these witnesses were. There is no person present here who knew any of my affairs in Ireland, unless by report ; and therefore no person to refer to for evidence or explanation ; and what is still worse, were I with all these inconveniencies to submit to a trial, I have not even the possibility with which the blackest criminal may indulge himself, the feeble hope, of a verdict in my favour ; for the verdict of the Irish church was against me, and these decisions must not be overthrown. Again I ask what sort of a trial is this likely to be ? will my brethren consider these things, and cease to sport with their own character ?

* Radamanthus the judge of hell, "castigatque, auditque dolos," first punishes, then hears. This was the mode adopted by the Centurion with Paul ; "he ordered him to be apprehended and bound with chains, and then gave him a hearing, enquiring who he was, and what he had done."

† Conduct of the Presbytery in 1809, see printed extracts, page 7.

Shew me, sir, that it is in your power to institute any thing that merits the name of a trial, respecting *old charges*, annul your decisions, prevail with the Irish church to annul theirs, let the Irish Presbytery libel, let the witnesses be examined in the presence of the defendant, let me have time to make my defence, and I shall consent to a full and unreserved investigation. But if by a trial be meant, that I am to appear at your bar on the strength of charges already discussed; and that I am to be called upon to make a defence, which you have predetermined should have no weight, and all this to make way for a new decision, which may, for any thing known to the contrary, divest me of my office; if this I say be the trial which is contemplated, what man of common sense would seem surprised, should I decline it? rather who would not conceive me an egregious blockhead, most unworthy of the ministerial office, were I to submit to such an indignity, such a flagrant violation of justice?"

Notwithstanding these expostulations, the libel was sustained in the precise form in which it was presented.

The court next passed a sentence for Mr. G's suspension. Against this too he remonstrated; but in vain. He *protested* against the act of suspension, as follows:

"For the exoneration of my own conscience, and on the behalf of justice and truth, I David Graham, in the name of the Lord Jesus Christ, do protest against the proceedings of this court, and appeal to the Synod, for the reasons which follow:

1. The court being chiefly composed of persons who have prejudged the case.

2. Because this court, in every step of its procedure, commits itself, and proves its incompetency to judge; being manifestly destitute of the essential requisites of a judge, viz. impartiality and a love of justice, which they have discovered in numberless instances; particularly—in constructing a libel upon the pretext of a *fama clamosa* and recent immorality, whereas the *two first* charges are predicated upon things of a private nature, which have transpired since the meeting of Synod, not more than four or five days ago; and the *third* upon matters which, if they existed at all, must have existed before the year 1807, and Mr. G's emigration from Ireland.—In forming a libel without discussing the relevancy of the charges, contrary to all the approved standards of the Presbyterian church.—In agreeing to pass a sentence of suspension, without first enquiring into the grounds of the libel, the probability of proof, the publicity of the charges, the general belief attached to them, or their destructive tendency as to his usefulness.—In postponing the investigation of the libel for three months, after agreeing to inflict suspension, which made suspension in this case a serious punishment, before any crime was proved; and that too after the moderator repeatedly informing him that it was perfectly optional with him (Mr. G.) whe-

ther the trial should immediately take place, or be deferred; and after signifying his wish that the case should be immediately discussed.—In the general display of malice by the several members of the court against me—such as exclaiming, *we ought to appoint a day of humiliation to confess our sins in admitting Mr. G. into our communion—The stink of this man's reftutation is intolerable—Sit down, Sir, sit down, Sir, you are very impudent, you are exceedingly impertinent; if you do not be silent we shall call an officer to turn you out—Let Mr. G's stenographer take notes; when he publishes, it will be recollected, this is the Mr. G. for whom a reward was offered, &c.*—In hasting to pass a sentence which aggrieves your brother, refusing at the same time to listen to the remonstrances of reason, or to be conducted agreeably to the order of the church.”*

Upon presenting the moderator with a copy of the above protest, Mr. G. desired that it might be recorded, with its reasons. The court demurred against entering the reasons, and finally agreed that neither reasons nor protest should be recorded—that the appeal to Synod should not be sustained, and that Mr. G. should be cited to attend upon a Presbytery at Pittsburgh, August 13th, 1811. Mr. G. replied that he should wait upon the Presbytery, although in refusing to sustain his appeal they had acted unconstitutionally; that their refusal to record his protest was equally illegal; and that he was determined, agreeably to ecclesiastical law, to abide by his protest.† Mr. G. read his protest soon as the court agreed to inflict the suspension. While he was yet standing, the moderator proceeded, with his usual despatch, to pronounce the sentence; and lest the court might suppose the sentence had taken effect, Mr. G. repeated the words of the protest, but without the reasons. Mr. Hazelton, a member of court, protested at the same time, and had his protest recorded.

It was next moved that the depositions of certain witnesses, who they presumed could not be forward at Pittsburgh, should be taken. To this Mr. G. objected as contrary to books of discipline, which always allowed not less than eight days, nor more than fourteen, to prepare objections to witnesses, if necessary.‡ To this no other reply was made, than, that *the court should pro-*

* The court was so prompt in passing the sentence of suspension, that they passed over the usual formality of enquiring at delinquents, “whether they profess themselves willing to submit to the court in the Lord.” The suspension of Mr. G. was a thing so very desirable and delicious, that the court was to be excused if their feelings outstripped their reason. It was a paroxysm of zeal, not to be checked by stoical reflection, or trammelled by cold regulations. “Come,” said Jehu, as he drove on furiously, “come and see my zeal for the Lord.”

† See the DEFENCE in Pittsburgh.

‡ See Stuart's Collections, book 4th, section 4th, title 10th; and Mr. Graham's Defence in the subsequent pages.

ceed to take the depositions, and Mr. G. might be present to cross-examine the witnesses, and object to them if he chose.

Adjourned until 2 o'clock, P. M.

PHILADELPHIA, 2 o'clock, P. M.

The court proceeded to take the depositions of certain witnesses, as follows:

Mr. REILY was called and sworn. He deposed "That when about to leave the western country (thinks in the month of October last) he called at Mr. Hazelton's, in Pittsburgh, where Mr. Graham was; that he (Mr. Reily) Messrs. Gormly, Kirke, Hazelton, and Graham, spent the evening together at Mr. Hazelton's; that the theological seminary and the students, became a subject of conversation; that Mr. G. observed, he feared the seminary would go to nothing, for that the young men in the western country had refused to attend it, and that Dr. M'Leod, he had understood, had written a letter to Mr. Milligan, asking him on to New-York, to finish his education."

Mr. Reily cross-examined by Mr. G.

Q. Did Mr. G. appear to wish the injury of the seminary?

A. No, he appeared to regret that it would come to nothing.

Question by Mr. Wylie—Q. Did not Mr. G. appear to you to discover a disposition hostile to Dr. M'Leod?

A. I thought he did.

Mr. G. proposed to call upon one of the students, who he perceived was now present (Jonathan Gill) to witness his zeal and exertions to promote the interest of the seminary. The court observed, it was not necessary, as they had no ground to suspect Mr. G. was unfriendly to the seminary. The part of the deposition of the witness (Mr. Reily) which they felt disposed to regard, was that which testified a disposition in Mr. G. hostile to Dr. M'Leod.

Oliver M. Becket was called. Before the court proceeded to swear him, Mr. G. alleged, that Mr. Becket being a stranger, it was necessary, according to the usages of ecclesiastical courts, that he should, previous to his being admitted as a witness, produce a certificate, attesting his good moral character. To this the moderator replied, it was not necessary—he had no doubt Mr. Becket was a better character than the culprit at the bar. Mr. G. next objected, that the gentleman who appeared as witness was interested in the issue of the prosecution in pecuniary matters; that he was in that predicament which books of discipline had declared, disqualified a person from being a witness. To this objection no attention was paid. The court proceeded, with a haughtiness which added insult to injustice, to swear Mr. Becket.

OLIVER M. BECKET deposes—"I think, to the best of my recollection, in the fall of the year 1807, Mr. Graham called

upon me, in the town of Belfast. Previous to this, Mr. G. and I were upon a very intimate footing, and at several times finding that he did not stick strictly to the truth, I determined to hold no more correspondence with him. However, Mr. G. with his accustomed impudence, called upon me (I cannot exactly say the day, but I think the month of October or November, 1807) and asked me for the loan of two guineas to purchase a pair of boots. Mr. Becket had received a pair of new boots; he asked the loan of them, to go to a tea-party to a Mr. McNair. I refused to lend him the boots. He immediately repairs to the house of Mrs. Martin, to the best of my knowledge, as I was informed by Mrs. Martin, Mr. G. gave Mrs. Martin my compliments, and told her, that I desired him to get two *guineas*—on which she gave him the two guineas. The next day I called at Mrs. Martin's house, when she asked me if I gave her credit for the two guineas that I had given Mr. G. an order to obtain from her. I told Mrs. M. at the same time, that I neither knew what she meant, nor did I ever give Mr. G. or any other person, an order to obtain money of her. Mrs. M. made reply, that when her and I was settling accounts, that she certainly would keep them two guineas out of the amount of my bill; and that I not only had a right to pay them two guineas, but the several other sums Mr. G. stood indebted to her, as it was through me she gave Mr. G. credit for the different times he had lodged with her. In the course of some time, on me furnishing Mrs. M. with her bill, she subtracted the two guineas out of the bill, which I objected to pay, alleging that I never had given Mr. G. any order to receive two guineas from her on my account. And told Mrs. M. that if she was so simple as to give Mr. G. money on his own word, as she could not be unacquainted with the character of Mr. G. that it must be at her own risque. Mrs. M. said then, that she allowed she acted a simpleton in the case, and as it was through me that she had lent not only that money, but some other small sums that he stood charged with in her books; that she would have the pleasure of quitting taking her liquors from me. I then thought it was better to pay Mrs. M. the two guineas than lose her custom. I did pay her the two guineas. I think there was about a month or six weeks elapsed before I had heard that Mr. G. had left Ireland. At the time that Mr. G. left Ireland, I heard a great many stories in circulation about Mr. G. a great part of which I did not believe. I never had an opportunity of knowing anything of Mr. G. until I came to America. When I came to America, I understood that Mr. G. was teaching in New-York. The second day after, I furnished him with his account, 25*l.* 8*s.* 9*d.* sterling. At the same time I wrote him a letter, the copy of which I hold now in my hand, which the moderator may read if

he pleases. [*Letter read.**] Mr. G. on receiving my letter, treated me with silence. The way I knew that Mr. G. received the letter, he told me afterwards he had received it. I wrote him a second letter, and a third letter, all of which I have every reason to believe he received, and still never answered. I think it was about a year ago, I understood Mr. G. was in Philadelphia—at your house (Mr. Wylie.) When I understood he was at your house, I wrote him a note, (the words I do not recollect) to come and settle his account. The man who I sent with the note returned me for answer, he would call at my store in the course of the day—and in the course of the day he did call once, accompanied by yourself. When he came into my store, he charged me with insulting him by letters. I denied ever intending an insult, and related all the circumstances. I am not certain whether Mr. G. denied receiving the money from Mrs. M. or not; nor do I positively say that he did make use of my name to Mrs. Martin or not. If my recollection serves me, he left the store and called in the evening. Mr. W. seemed to have got some things from a conversation with Mr. G. (He supposed this.) At which time Mr. Wylie requested I would write Mrs. M. and he would write, and he would likewise write a Mr. Henderson of Belfast—as letters from these people might alter his opinion very much respecting Mr. G. But as Mr. G. had positively denied the above charges, I think at the time Mr. W. offered, if I would wait, and if he found the letters to correspond with what I had said, he would be accountable for the money. I immediately wrote Mrs. M. and have received no answer, and Mr. W. to the best of my knowledge, told me he had wrote Mrs. M.”

Mr. Becket cross-examined by Mr. G.

Q. Was it by a written or verbal token Mr. G. received the money?—A. A verbal token.

Q. What time did you settle with Mrs. M. for the two guineas?—A. In December, 1807; does not recollect the day.

Q. What time did your business go into disorder?

A. In the winter of 1808.

Q. Was not Mrs. Martin a tavern-keeper?—A. Yes.

Q. What time elapsed after Mr. G.’s leaving Ireland before you heard of it?—A. I think about a month or six weeks.

Q. You have stated, you did not hear of Mr. G.’s departure for at least one month after you paid Mrs. M. did you ever write him on the subject?—A. No.

* Of this letter Mr. G. did not receive any extract from the clerk, in despite of every argument which Mr. G. could use, and after repeatedly writing, a part of the extracts were still withheld. The letter, however, contained a demand upon Mr. G. to the firm of Becket & Nimock, and one of two guineas paid (as Becket wrote) to Mrs. Martin on Mr. G.’s account, accompanied with a threat, that should not Mr. G. make immediate payment, he should be compelled to it.

Q. Do you believe Mrs. M. ever mentioned the circumstance to Mr. G.?—A. Never told me she did.

Q. Do you know whether ever Mrs. Martin mentioned this circumstance to Mr. G. before his leaving Ireland?

A. She never told me she did.

Q. Did not Mr. G. engage, in the presence of Mr. Wylie, to pay you the sum he owed Mrs. Martin, so soon as you should produce authority to receipt it?—A. Yes.

Q. Were you not acquainted with Messrs. McFadden, Moore, Henderson and Fulton, of Belfast?—A. Yes.

Q. Did you ever mention it to any of them?

A. No, not before Mr. G.'s leaving Ireland.

Q. Did you ever afterwards mention the subject to any person?

A. Only to Mr. Nimock of Colerain.

Q. How soon did you mention it to him?

A. On the next day, or the day following Mr. G.'s passing through Belfast on his flight, as Mr. Nimock was pursuing him for debt.

Q. Where was you at the time the Irish Presbytery sat on Mr. G.'s affairs?—A. In Belfast.

Q. Are you certain that Mr. G. made use of a false token?

A. I am not; nor will I positively say he made use of my name.

Q. Are you prepared positively to state that Mr. G. swindled you out of two guineas?

A. I am not; nor do I think Mr. G. capable of such a thing.

Q. Are you certain the sum you paid Mrs. Martin was two guineas, and not two pounds?

A. I am not certain, but to the best of my knowledge it was two guineas?

Q. You shewed the account in a list with other accounts when I called upon you in company with Mr. Wylie, have you that account to produce?—[Here the witness examined certain papers which he had in his pocket, but said he could not find that account.]

Q. Have you a receipt from Mrs. Martin, or any documents to shew you paid the money?—A. I have not.

[On being cross-examined respecting his demanding the payment of a bill due Mr. Nimock of Colerain, he acknowledged, that for some years he had his store in Belfast, and Mr. N. in Colerain; that he had not Nimock's name upon his board in Belfast, nor had Nimock his name in Colerain, yet the partnership continued.]

Q. Did you not fail in Belfast?—A. Yes.

Q. Did Mr. Nimock fail when you failed?—A. No.

Q. How was that, when you were in partnership?

[Here the witness hesitated, and after some time said, Mr.

Nimock had no share in his business in Belfast, but he had a share with Mr. Nimock in Colerain.]

Q. Was it publicly known that this partnership was existing between you?—A. No, it was by a private contract.

Q. Did Mr. G. engage to pay Mr. Nimock's account, so soon as you should produce authority to receipt it?—A. He did.

Q. You acknowledge a note to have been given by Mr. G. to Mr. Nimock, as security for the payment of the bill; had you the note to produce when you made this demand, or have you it now?—A. I have not.

Q. Have you authority to receive the money?

A. No, no written authority.

[Here Mr. Becket alleged the reason why Mr. Nimock had not given him full authority to receive the money, was because Mr. Nimock had written, he expected to be paid by the Covenanters in Ireland.]

During the cross-examination of Becket, the court discovered a criminal partiality. Their clerk (Mr. Wylie) refused to record those questions and answers, which appeared to go to the exculpation of Mr. G. alleging as a reason, that "if Mr. G. thought there was any thing dropped which might be useful to him, he might have it taken down for himself." When Becket appeared to stumble, and became embarrassed, which he did often, the court interfered, and under pretence of ascertaining the meaning, the witness was diverted from his direct answer, and another, manufactured by some member of court, was put into his mouth, and entered on the minutes, notwithstanding the remonstrances of Mr. G. In one instance, in particular, Mr. Graham asked the witness—"If he would positively assert that Mr. G. swindled him out of two guineas by a false token?" His direct answer was—"I do not positively say it, nor do I think Mr. G. could be capable of such a thing." It was modified by a member of court (Mr. Wylie) who was also clerk, by saying, "*Your meaning is, you refuse to put a name upon the deed;*" and was entered accordingly. And although Mr. G. upon reading the minutes at two different times, objected to it, and even asked the question again and again at the witness, who as often replied, that "he would not positively say, neither did he think Mr. G. could be guilty of such a thing," yet the court would not be prevailed upon to correct the minute.*

William Jamison sworn.

Deposed, "That he was coming past Mrs. Martin's door; that she called him to her, and asked him what he thought of

* When this extraordinary piece of conduct was animadverted upon, Mr. Wylie observed, in justification, that the witness would certainly not have exculpated Mr. G. but that he perceived a counsellor's clerk present, and dreaded a prosecution.

their great Graham now? He said it was a delicate subject; she replied that she was not willing to give it up, mentioning the story of the two guineas; that Mr. G. came to her, and asked her if she knew a gentleman of the name of Becket in Belfast? She said she knew him very well. Then he gave his compliments for the loan of two guineas, and she gave it; that the said (to the best of his recollection) Mr. G. called upon Mrs. Martin for five guineas, and said he was going somewhere to preach, and would pay it on his return; that Mr. Moore told him Mr. Graham had borrowed of him seven guineas, to aid his brother in going to college. [Here Mr. G. begged the court not unnecessarily to delay the business, as he felt no disposition to deny that he had become surety for a small sum of money to David Moore, of Belfast, to aid his brother in prosecuting his studies; that he acknowledged the debt justly due, and should it not be paid by his brother, who was in easy circumstances (and who he had reason to believe had already paid it) he should still hold himself accountable for it.]

William Jamison cross-examined by Mr. Graham.

Q. What do you *know* of the affair of Mrs. Martin?

A. Nothing but by *report*.

Q. Who informed you?—A. Mrs. Martin.

Q. Did Mr. G. make use of a false token to obtain two guineas from Mrs. Martin?—A. I cannot tell.

Q. Did Mr. G. apply for five guineas to Mrs. Martin on his way from his congregation?—I cannot tell.

Q. Have you authority from Mr. Moore to receive the seven guineas my brother owes him?

A. No written authority, but was told by Mr. Moore, if I should see Mr. G. to get the money from him and keep it, for he would rather I had it than Mr. Graham.—Mr. G. “Then you are a party concerned in the matter, and have no right to be heard as a witness; besides it appears strange that either you or Mr. Moore should imagine, I ought to pay a bill, where legal security has been given, without producing the instrument which obligates to pay the sum.”

Q. Do you know any thing of Mr. Becket? The witness stormed, and the court interfered, ordering the witness not to answer such questions. Mr. G. proceeded to assure the court he had a right to ask such questions, to invalidate the evidence of witnesses; that it was a practice in all courts where justice reigned; that by such means, error and falsehood were usually detected, and truth obtained; that he would insist upon his right, and that the witness having sworn to *tell the whole truth*, could

* Compare this with that part of Becket's oath where he swears that Mrs. Martin assigned as a reason why he should pay the two guineas, that he (Mr. Becket) had introduced Mr. Graham to her, and that it was upon *his account* she had lent *other small sums*.

not refuse to answer without incurring a charge of perjury.—In the mean time, the witness was withdrawn, a gentleman was despatched to Becket's store to crave his attendance, who appeared in a short time "breathless and faint." The questions were resumed, and the witness stood forward to answer. He deposed, that Mr. Becket had failed in Belfast, and was arrested; that he accounted with his creditors; that he understood he had carried a large quantity of property to America, and that he had been arrested for the goods since he arrived in Philadelphia; knew nothing of his moral character; did not learn that he had forged bills in Belfast; knew nothing against his veracity; had very little acquaintance of him; heard he had changed his name, &c. &c. &c.

Andrew Jamison sworn.

He knew nothing of the affair of Mrs. Martin, nor of the money borrowed of Mr. Moore; was in Glasgow at the time it was borrowed. After it was understood that Mr. G. had emigrated, Mr. Moore had ordered Andrew Jamison to seize the trunk of John Graham (Mr. G.'s brother) who was at that time in Glasgow college. Mr. Graham had brought the said Andrew Jamison before the council-chamber, and had recovered his property. Much low irrelevant stuff about Mr. G.'s brother, and his suit with said Jamison, was deposed, to the great satisfaction of the court—the clerk, with all due gravity, recording every syllable, as though it had been the responses of an oracle. Mr. G. during this degrading scene, discovered indignation, calling the court mean and contemptible, to permit such ribaldry to be tolerated before them, and inserted on their records relative to a young man of amiable deportment, whose bravery and generous conduct, although a boy, had been stamped with public approbation, and whose merit, as a professional character, had raised him to the first grade of respectability; adding, it was still the more *ungentlemanly* to treat his character illiberally, as he was not present to answer for himself.*

John Jamison sworn.

Deposeth—That he knew nothing of the affair of Mrs. Mar-

* John Graham, brother to Mr. G. was early devoted by his parents to the ministry. He went through a classical education, and attended the *gown classes* one session, in Glasgow, with a design to devote himself to the study of theology. The illiberal treatment which his brother met with from the Reformed Presbytery of Ireland, disgusted him with the ministry, and deterred him from the prosecution of theological studies. He immediately turned his attention to physic, passed his examinations in London in 1808, and entered for a surgeon in the land service of the British king. He was appointed to the medical staff of Sir John Moore, who fell in Spain. Mr. G. waited upon him when he fell, and in the act of administering aid to his general, received a wound. He was carried to Haslar Hospital, England, where he recovered, and, for his gallant conduct, was gazetted "surgeon and apothecary to the British forces." He is at present in the West-Indies.

tin, ner Mr. Moore; that he would relate what he knew of Becket. The fourth evening after he came to Philadelphia, he understood there was a vessel arrived from Ireland with passengers. The following morning Mr. Becket walked into Robert Kean's, where he (Jamison) boarded. He (Mr. Becket) was styled Mr. Moore by some of his fellow passengers. Jamison asked him why he had changed his name. Becket answered he had not changed his name, for he was called Oliver Moore Becket;—that he was styled Oliver Becket in Belfast; that he brought an immense quantity of goods with him, reported to amount to \$12,000, and was, shortly after his arrival, put into jail in Philadelphia; that in a conversation with Mr. Graham, he (Jamison) mentioned that Mr. Becket had represented Mr. G. as indebted to the firm of Becket and Nimock; that Mr. G. purposed to visit Becket in company with him; that they understood, when they arrived at the store which Becket had lived in, that he was in jail; that he (Jamison) asked Mr. G. if he would go to the jail to see Becket, and he replied he would not.

Deposition of Doctor M'Kinney.

Doctor Archibald M'Kinney of Philadelphia, deposeth and solemnly swears, that his first knowledge, as far as he recollects, of Mr. David Graham, was by the favourable letters he received from his brothers in Europe, respecting said Mr. Graham. That the said Mr. Graham, owing to this introduction, and a further personal acquaintance, had the confidence of Archibald M'Kinney, and his friendship, until, perhaps, the morning he left this city for New-York, on his journey to the late Synod. He further deposeth, that he has personally known the Rev. Samuel B. Wylie eleven years or more, and nothing had happened before his last interview with Mr. Graham, which would destroy the confidence he had in Mr. Wylie, as an honest man, and minister of the gospel. Further, on hearing of Mr. Graham being on his way to Philadelphia, he gave notice to numbers of his personal acquaintances, that he expected Mr. Graham to preach. Shortly after Mr. Graham arrived, Archibald M'Kinney had an accidental meeting with Mr. Hazelton, and learned, with some degree of surprise, that Mr. Graham did not intend to stay during the time of the administration of the sacrament, and enquired the reason of Mr. Hazelton, who insinuated that Mr. Graham had been badly treated by Mr. Wylie. He then, in company with Mr. Hazelton, visited Mr. Graham at a late hour, and appointed a friendly interview with him next day at ten o'clock, which accordingly took place. After some friendly conversation as usual, the subject of his hasty departure was introduced, at which I manifested my surprise. "Mr. Graham *insinuated* that he had been most malevolently treated by some of his brethren, and among the rest, by Mr. Wylie." He enquired if I had not heard of charges to be preferred against him. I told him I had not, and listened to

him with some degree of surprise. "He then, in the course of the conversation, proceeded to charge his brethren, and particularly Mr. Wylie, for whom I was most interested, with inventing foul calumnies against him, without bringing any direct charge." "Mr. Wylie he charged with writing over the mountains to Mr. Black against him, letters containing circumstances relative to Mr. Becket's affair," which affair, if I had heard of, had been forgotten—and Messrs. Wylie and Graham's interview with Mr. Becket, I until that moment had no knowledge of. When from facts which that moment came to my mind, I endeavoured to justify Mr. Wylie, "he persisted to demonstrate to me with very warm colouring, that Mr. Wylie, let his conduct be viewed, in whatever point of view, was guilty of a breach of faith to him, and had not acted honestly." On my enumerating facts to him, which led me to exculpate Mr. Wylie, and which yet to me, are evidence of his innocence, he told me that he perceived in me, a disposition to defend Mr. Wylie. I told him I had, and also to defend himself, insinuating to him at the same time, that though I was a friend to Mr. Wylie and him, I was more a friend to truth. "He then asserted that Mr. Wylie was a tyrant here, and Mr. Black would be one over the mountains, if he had liberty"—That Mr. Wylie was a weak man, neither of which was I perfectly prepared to believe. Some of the above alluded to facts, which then and now led me to believe Mr. Wylie innocent of those charges, were as follows: I knew, that formerly, Mr. Wylie was Mr. Graham's warm friend—exerted every nerve, as I thought, to defend his character, and advance his popularity. I had every reason to believe all this, when Mr. Graham and his family were in Philadelphia last, and that the same sentiment pervaded the congregation. From this time, until some time in January or December, I never recollect of hearing an insinuation, or any thing like it, from Mr. Wylie, derogatory to the honour of Mr. Graham, but rather a studied care of his character. I then received a letter from Europe, reflecting on the character of Mr. Graham, and the church here for admitting him to his office. I undertook Mr. Graham's defence, and that of the church here, in a long letter of eight pages, which I wrote to Ireland in January last. This letter I read to Mr. Wylie in confidence, thinking he would be gratified by any attempt to preserve the character of Mr. Graham. Nor did he give me one insinuation that he was not. Nor when I had this interview with Mr. Graham, had I reason to withdraw my confidence from him. I considered our conversation confidential. I told him I would keep my ears open. I had heard what he asserted, and would be able to give him the result of my impressions by the next time I saw him. But immediately I found, that these charges were not communicated to me alone—that they were communicated by insinuation or otherwise, either by Mr. Graham, Mr. Hazelton or

Mr. Cooper, to others in the congregation. This led me to make further enquiry into the business—to review the evidence before me—to review my acquaintance with Mr. Graham, Dr. M'Leod and Mr. Wylie. And the result was, that my imagination recoiled at the idea of being made a dupe, and seduced from the path of duty, in a confidential way. I considered, and do now consider, while under those impressions, all confidence removed. When I was making this enquiry to satisfy myself, I had no wish, nor did I expect, to be called here as an evidence. I have been called however. Any other questions, by any of the parties, I will answer to the best of my knowledge. (Here follow answers to questions put to the witness.) That Mr. Graham by his conversation with A. M'Kinney, prejudiced him against Dr. M'Leod. "That Mr. Graham said he had been rascally treated by M'Leod." "That Dr. M'Leod led Mr. Wylie."—That he did not think that he (M'K.) could be led by any body—And used as a motive to his (M'K's) studying theology, that he would form a counterpoise against M'Leod's tyranny in the church, or words to that amount. Signed by A. M'KINNEY.

(A True Copy.)

Signed by JOHN BLACK, Moderator.

The Court dissolved, purposing to meet in Pittsburgh, Aug. 13, 1811.

The correctness and truth of the above narrative is attested by

THOMAS HAZELTON,

Ruling Elder, and Member of the Court.

JOSEPH COOPER,

Commissioner from the Congregation of Canonsburgh.

JAMES PAGE, *Counsellor's Clerk.**

Thus terminated one of the most scurrilous and abusive scenes. Language could not paint the excess of malevolence which Mr. G's brethren displayed.† The intervening weeks between the

* Mr. Graham, convinced of the partiality and malevolence of his brethren, had provided himself with an expert writer. The young man was present, and carefully minuted all that passed during the two seditious in which the libel was presented, and the depositions were taken. His papers, from which a great part of the above narrative is extracted, are attested in form by himself, and are in the hands of Mr. Graham.

† It will be matter of surprise to some, that these men should have committed themselves so manifestly, and so frequently, and should have paid so little attention to their reputation. But the surprise will cease when they are informed, that all things transpired in the presence of not more than twenty spectators, who were industriously picked up by the court, with all their prejudices ranking in their hearts, and who had been previously initiated into the *mysteries of the prosecution*. The greater part of Mr. Wylie's congregation knew nothing of the sittings of Presbytery until after they were completed; and some of them manifested no small disgust, in conversation with Messrs. Graham, Hazelton and Cooper, at the privacy with which matters so important had been transacted. Perhaps it was the first Presbytery held in the centre of any minister's congregation.

session of Presbytery and August 13th, were devoted to the exercise of similar passions. An unremitting and ardent correspondence was every where carried on, the professed object of which was, to collect charges and proofs against Mr. G. Mr. Black in particular, equipped with all the above defamatory papers and depositions, addressed himself to the destruction of Mr. G's reputation, with much perseverance. His usual practice was, to lug out his papers, and read and explain, to all who were disposed to hear, and in all places. The street, the field, the store, the church, the festive board, the social circle, were each in their turn occupied by him in reciting and lecturing scandal. The congregations to whom he dispensed defamation under the pretext of preaching the gospel on the Lord's day, were usually convened on the following Monday, to hear the papers read. They were expounded with ardour and interest, and, if fame speaks truth, with no small quantity of misrepresentation and falsehood. Some who could not perceive the turpitude of this gentleman's conduct, were prejudiced; the greater part remained in suspense; some ventured to express their abhorrence of his conduct, and that of his brethren. The congregation of Canonsburgh treated the tyrannical deeds of the judicatories with a laudable contempt, and adhered to Mr. G. on the footing of his protest.* Letters from all quarters were poured in upon them to prejudice their minds. Mutilated, garbled, and false minutes of the judicatories were printed and circulated. They had not the desired effect. Their conduct became daily more an object of suspicion. The measures they employed to effect their purposes, served only to expose themselves. Few who knew the state of the case, attempted their apology; while the greater part could not help regarding their measures with abhorrence.

I have conducted you to the concluding scene before the Presbytery in Pittsburgh. It shall constitute the subject of my future letters.

Yours, &c.

gation, without a previous public intimation from the pulpit. This omission was the more remarkable, that Mr. Wylie knew the Presbytery would sit, and that he occupied his own pulpit on the preceding sabbath. But it was a contemplated assassination to which secrecy was essential.

* See their paper of resolutions on that subject, No. 2, in the Appendix.

NARRATIVE,

PART II.

THE TRIAL AND DEFENCE

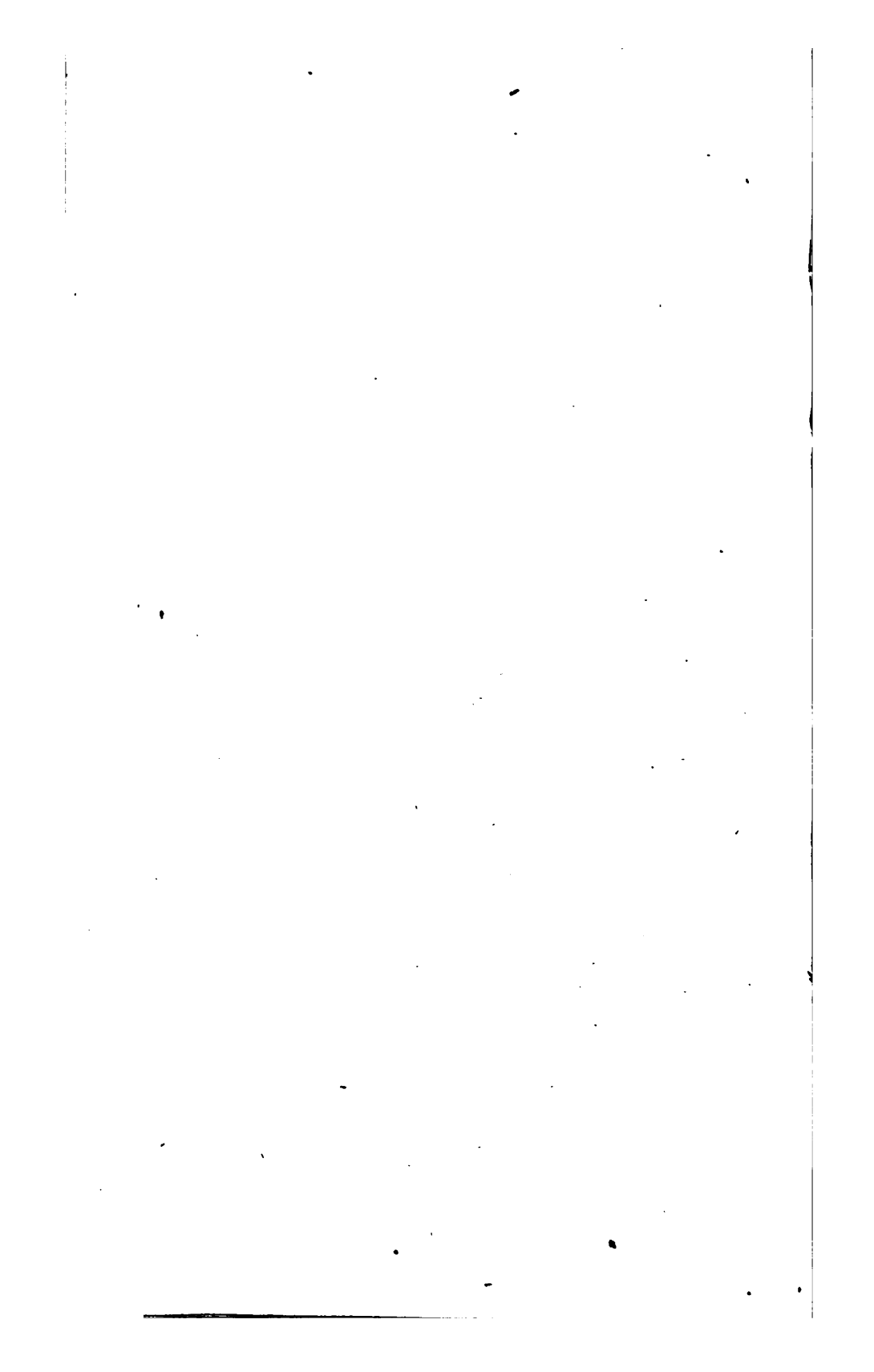
OF

MR. GRAHAM,

BEFORE THE REFORMED PRESBYTERY IN PITTSBURGH,

August 13—20, 1811.

"It was the solitary, vindictive malice of a monk, brooding over the infirmities of his friend, until he thought they quickened into public life, and feasting with a rancorous rapture upon the sordid catalogue of his distresses. Now let him go back to his cloister. The church is a proper retreat for him. In his principles he is already a Bishop."—*Junius*.



LETTER I.

If we consider the envious man in delight, it is like reading the seat of a giant in romance; the magnificence of his house consists in the many limbs of men whom he has slain.—ADDISON.

MY DEAR FRIEND,

I PROCEED to acquaint you with the transactions of the Presbytery in Pittsburgh.

On the 13th of August last, pursuant to appointment, the members of Presbytery met and constituted. Present Rev. Messrs. Wylie, Black, Williams, ministers—Messrs. Gormly, Mitchell, Renfrew, ruling elders.

The gentlemen had rightly judged they had undertaken full as much as they could execute without aid. Either at their solicitation, or because the matter was congenial to the feelings of Mr. McLeod, he appeared with his brethren, and was, of course, invited to occupy a seat.

Mr. James Slater appeared as commissioner from Canonsburgh, informing the court that the congregation had appointed an elder to represent them in that court, and wished to know whether he would be allowed to take his seat. The court refused to admit him, alleging as a reason, that he had been appointed by a congregation who had adhered to Mr. Graham upon the footing of his protest, that they were, therefore, disorderly and rebellious, and, as such, their deeds could not be recognised.* But observed further; if there were any elder in that

* In this the court discovered either ignorant or erroneous views of Presbyterian church government. Protests and declinatures are a part of ecclesiastical law, justly provided, to secure individuals against oppression. "There is a warrantable declinature (or protest) where a judicatory is declined as having committed injustice in some interlocutor sentence." *i. e.* a sentence passed after the commencement of a trial, and before it is completed. (Stuart's Collections, book iv. title 5th, section 9.) The protest which Mr. G. presented, and to which he and the people adhered, was precisely of this description. According to

congregation who had not co-operated with the people, he would be admitted to a seat. Mr. Slater replied, that if such a person could be found, he had not the appointment of the people, and could not, therefore, represent them; we, said he, on our part, refuse him.

The court called for the minutes of the Presbytery which sat in Philadelphia in May last. Mr. Graham objected to the partiality of the statement contained in the minutes, particularly that part which represented him as standing up at the command of the moderator, and receiving the sentence of suspension with all due solemnity. No part of the minutes read appeared to him to represent matters in their true light; they were shamefully garbled, but that which represented him submitting to the sentence of suspension, was not merely a misrepresentation—it was a glaring falsehood, which he undertook to prove. *Here the court interfered, and ordered him to silence.*

The clerk was ordered to read the libel preferred against Mr. Graham in Philadelphia, and the depositions which were there taken. He proceeded to read the libel and the depositions, viz. the deposition of Mr. Reily,* of Oliver M. Becket,* of William Jamison,* of Andrew Jamison,* of John Jamison,* and of Dr. McKinney.*

Mr. Graham had acquired a perfect copy of the transactions of the Presbytery of Philadelphia. The minutes last read by the clerk corresponded in substance, and, in general, in words, with those retained by Mr. G. Still there were some exceptions. One of considerable moment was an answer to a question put to Becket, whether he “would positively say that Mr. G. had swindled him out of two guineas?” His answer was, “He would not positively say, neither did he think Mr. G. could be capable of such a thing.”† Instead of this answer, it was minuted in the Presbytery’s records, “refused to put a name on the deed.” Mr. G. proposed two persons of unblemished character to swear what he asserted; he had also the answer in three different hands, Mr. Page, Mr. Hazelton, and his own. The court agreed it should be corrected. Mr. Wylie, the clerk, further observed, in reading the minutes of cross-examination, that he had not writ-

books of discipline it was *warrantable*; to call them, therefore, *disorderly* and *rebellious*, while they adhered to a warrantable act, and continued to profess *amenability* to the judicatories of the church, discovered an unacquaintance with the laws of the church. The rejection of an elder from the congregation of Canonsburgh, was a violation of Presbyterian church government. It was more. It was tyrannical. For if protests and declinatures cannot be practised upon without subjecting to church censure, then protests and declinatures are declared to be illegal, and there remains nothing to check the insolence of tyranny, or secure the rights of the people.

* See pages 64, 68, 70, 71.

† See page 67.

ten out the questions, nor taken down every answer, but if Mr. G. had been more particular, he supposed the court would allow him to avail himself of all particulars he possessed. The court consented.

It was moved and carried, that "Mr. G. should now be asked whether he would engage to submit to the court in the Lord?" To this question Mr. G. replied, that he engaged most cheerfully to submit to the court in the Lord, adding, "I desire it to be recollected, I have pronounced the words *in the Lord* emphatically."

Mr. G. was now called upon to plead *guilty or not guilty*, to the charges specified in the libel, either in whole or part. Mr. G. replied, "that it appeared very extraordinary to put such a question at this stage of the business. He hoped they did not intend to mock him, by calling upon him to plead guilty or not guilty, after they had taken a great number of depositions to prove the charges, and had individually, as he was prepared to prove, endeavoured in all directions to impress convictions, that the charges were proven." Mr. McLeod, in support of the motion, read a passage out of the *draft* of a book of discipline, and observed, "that it shewed a disposition in Mr. G. to equivocate; that it was a man's duty to confess his sins, and that it might, if Mr. G. should plead guilty, save much trouble to the court." Mr. G. "The court is certainly out of order, when it calls upon me, at this time, to confess or deny the truth of the charges. This, however, is a necessary consequence of other premature decisions. It was the duty of the Presbytery in Philadelphia, instead of putting a libel into my hands, and proceeding immediately to suspend without any discussion, to have first enquired into the rise, occasion, propagators, and probable proof of the charges upon which the libel was framed, to have then given a copy, to have read each charge, and heard my answers, in order to discuss their relevancy, and upon sustaining them as relevant, to have then called upon me to confess, and in case of denying the truth of the charges, then to have had recourse to probation. For proof of what I have asserted, I shall take the liberty of referring the court to Stuart's Collections, book iv. title iv. section 9, 10, 11, 13. "Yet Presbyteries may proceed against ministers, when a *fama clamosa* of the scandal is so great, that for their own vindication, they find themselves obliged to begin the process without any particular accuser, after they have enquired into the rise, occasion, broachers and grounds of the said common fame.

"After the Presbytery has considered the libel raised against the minister, then they order him to be cited to get a full copy, with a list of the witnesses names to be led for proving thereof, and a formal citation is to be made in writ, either personally or at his dwelling house, bearing a competent time allowed to give

in answers unto the libel, and his just defences and objections against witnesses, at least ten free days before the day of compareance, and the citation should bear the date when given, and the names of the witnesses to the giving thereof, and the execution bearing its date, with the names and designations of the witnesses, should be made in writ and signed by the officer and witnesses: which being accordingly returned, he is to be called.

"If the minister compare, the libel is to be read unto him, and his answers thereunto are to be read, in order to the discussing of the relevancy. If the libel be found relevant, then the Presbytery is to endeavour to bring him to a confession.

"If the minister accused do appear, and deny the fact, after the relevancy is found, the accused is to be heard object against the witnesses, and allowed to be present at the examination."*

"Here, sir, is a case exactly in point—It is a *fama clamosa*—the order of procedure is plain and intelligible. Did the Presbytery of Philadelphia proceed in this way? Did they enquire into the grounds of the *fama clamosa*? Did they proceed to discuss the relevancy of the libel? Did they, having found it relevant, call upon me to confess? Did they finally proceed to call witnesses? No, sir. They put a libel into my hands, without a word said, either relative to the grounds of the *fama clamosa*, or the relevancy of the charges; they next proceeded to suspend me, without so much as asking me had I any reason to offer why sentence should not be passed; and with equal despatch they proceeded to take depositions. And now, sir, after a series of disorderly steps, after witnesses have appeared to corroborate the charges, you call upon me to confess or deny the truth! This is indeed extraordinary. Why not wait until you have all the evidence you can accumulate upon this occasion? And if you fail in probation, you may then call upon me with much more propriety, to confess. Do not, however, sir, imagine that I am disposed to screen myself under the forms of law, or to take any undue advantage of

* Whatever peculiarities may exist among the several sections of the Presbyterian church, they all agree in those points of law, which may be designated the dictates of *common sense*. The Associate Reformed Church of America has adopted the same mode of procedure in the conduct of processes, as copied from the records of the Assembly by Stuart. (Constitution of the Associate Reformed Church, p. 517. sect. 6, 7.)

"If the offender appear, or if, having refused to appear, he be proceeded against in his absence, the first thing to be considered is the *relevancy* of the libel; that is, whether the thing charged, even supposing it to be proved, is really censurable. To the relevancy, the person accused hath always a right to object; but the judicatory must judge of the weight of his objections.

"If, on due consideration, the libel be found not relevant, all further proceedings are precluded of course; but if it be sustained, the offender is to be interrogated respecting the matter of fact. If he acknowledge it, the way is prepared for a decision; but if he deny it, the judicatory is to examine the proof by which it is supported: and previously to give him a list of the witnesses."

the error of the court. I oppose your demand solely upon the principle of right, and to suggest the propriety of more caution in future. Had the last court put the same question to me, in order to aid them in ascertaining truth—had that been the object, I should most gladly have given them every information, made every explanation, and uttered every confession in my power. In that case, both they and I should have acted consistently. But to imagine they can do that now, which they ought to have attended to in the very formation of the libel, and to call upon me to make a declaration, which is manifestly intended to open the way for calling upon witnesses, after the witnesses have near three months since made their depositions, and after a wanton publication of them in all directions, is indeed absurd. I refuse, therefore, to answer the question, and wish to have recorded as my reason for refusal, that the question is unseasonable, and a compliance with it would be disorderly.*

It was moved the court should proceed to probation of the several charges of the libel. To this they agreed. Mr. G. begged the court to take up each charge for probation in the order in which it was presented in the libel, which was customary and reasonable. To this the court consented.

The clerk proceeded to read the libel, see page 51.

Having read the libel, the clerk returned to charge first—

“Of withdrawing that profession of repentance, on the footing of which you were restored to the exercise of the office of the holy ministry, which appears by the following proofs: Your own words in open court; your attempts always to justify your conduct against the Irish Presbytery, representing yourself as the injured person.”

The first proof to which the court referred in proof of this charge, was their printed extracts, p. 19. “He urged in support of that claim, that he ought not to be considered as accused as a culprit at the bar; and yet, he requested this court to try his cause: he afterwards withdrew this request. That he did not know in what light to view himself; and that he stood as a fool before the court. That he was represented as fond of speaking;

* To manifest further the absurdity of the question put to Mr. G. after depositions had been taken—Mr. G. must have answered either guilty or not guilty. Had he answered guilty; could this have stayed the prosecution, when evidence had been already taken; Certainly not. Nor would have even invalidated in the least degree the evidence, the court being obligated to regard as the ground of their judgment, not his denial of the truth of the charges, but the evidence before them. To have answered in the negative could then have been of no use whatever. Again—suppose he had answered in the affirmative, it would have prevented further labour in quest of proof; but it would also have superseded the use of the evidence which the court in Philadelphia had painfully acquired, and in setting aside the use of the evidence, it would have exposed the ignorance and unskilledness of the court, which procured it. Such was the dilemma in which the court had involved itself. It called for an answer which would be either useless, or would reflect disgrace upon the court in Philadelphia.

that the popular opinion is that *he is good at it*; that he *would therefore try it*: that the Irish Presbytery *asserted falsehoods* about him, were his *enemies* and persecutors. He insinuated that the *scandalous* crimes for which he had been *deposed*, and for which he had *professed repentance*, were only *fictional*. That he has now *no character*; that he *had a respectable character* among the Seceders, who, he said, *libelled* him for intention to *defraud*. That ever since *he joined the Covenanters*, he was *abused and persecuted*, and that this court were *worse persecutors than the Irish*; that when he came to America, he was *solicited, seduced, inveigled* into the church; that he was *kept in the dark*, and treated as a *person unfit for society*. That *no charges* against him are proved; and that STUART'S COLLECTIONS support his right of being admitted to a seat in Synod, without waiting for a formal introduction, or an examination of his ministerial standing."

The *second* proof in support of the first charge, was an extract from the minutes of the Presbytery in Philadelphia, of which the following is a correct copy:

"Two o'clock, A. M. *eodem die et loco*, same members—
The court proceeded to the examination of witnesses relative to Mr. G.'s case; this they thought proper to do at this time, that Mr. G. might have an opportunity of cross-examining the evidence in Philadelphia, and who could not attend at the trial in Pittsburgh. Mr. G. attended accordingly, and did cross-examine such witnesses as he thought proper. Mr. G. abused the court in the most scurrilous and indecent manner; he declared they were a mean set, a dirty set, and incapable of trying him; that Mr. Wylie was a tyrant and a weak man, and that he could prove it; that Dr. McLeod was a tyrant, and had treated him rascally, and that he could prove it, with a great deal more of the same kind of abuse and vulgarity, too gross to be inserted in the Presbytery's records."

Mr. G. observed, upon this part of the evidence being read, that he did not wish to anticipate his defence, but he could not help observing, the sorry expedient to which the prosecutor was compelled to have recourse, to support the charge. The charge was preferred on the morning of the 25th. Whatever intemperate language he might have used, was in the afternoon of said day, occasioned by the glaring partiality and meanness of the court, during the deposition of the witnesses. It was rather a novel thing to prosecute upon proof which happened after the charge was preferred. Such a precedent was dangerous, and ought to be discarded with abhorrence. Upon this principle man would be violently bereaved of some of his dearest rights. The most innocent should be liable to ruinous prosecutions. This court might charge any of its members, or any under their inspection, with the most flagrant criminality, and having entered a process against him, might suspend him from privileges, and

sist the process for years, until proof should be obtained. It was indeed impossible to say of what inconveniences to society it would be productive, to commence processes for crimes, which looked forward for proof, to something which was to happen afterwards. Mr. G. observed, he never read but once of a prosecution of this kind. It was the case of the Roman captain, who, in violation of the laws of even a heathen policy, *first*, bound Paul, and *then* proceeded by scourging, to enquire after charges and to extort proof.

Mr. Wylie, a member of court, requested leave of the court to depose upon oath a certain conversation which he had with Mr. G. and which would go to support the first charge. Mr. G. objected to Mr. W. as a witness, he being prosecutor and libeller. Mr. Black, the clerk of Synod, Mr. G. observed, had, upon reading the eight reasons sent on from the Presbytery of the 13th May, informed the court that Mr. Wylie had pledged himself to prove the charges; that Mr. Wylie had personally pledged himself in the Presbytery of the 24th, to prove them. This certainly placed him in the light of an accuser and libeller. But should he not be sustained by the court as a formal accuser, he was one of the court, and the court being the prosecutors on the *fama clamosa*, Mr. Wylie was consequently a prosecutor. It was contrary to the dictates of reason and justice, that a prosecutor should be a witness. Mr. G. called upon the court to allude to a single precedent, where one of the judges became a witness, and still continued to sit as judge? Here the moderator mentioned the case of judge Roberts, who, he had understood, had acted in one case or more in the character of both witness and judge. Mr. G. objected to this as a precedent. No civil court could establish a precedent to an ecclesiastical judicatory. Besides the moderator had stated a case for which there was no proof. But suppose such a thing might be practised in civil courts, the case was not parallel. It was the jury, not the judge, who tried the case in a civil court. Nor was it ever known that either judge or jury were the prosecutors. So tenacious and tender was the civil law of the rights of the parties, that persons even under suspicion of collusion or malice, without assigning a reason, might be rejected from sitting on the suit. But in an ecclesiastical court, the members were both judge and jury. No suspicion, however strong, nothing but direct proof would turn them out of their seat. In the case pending, the members were, moreover, the prosecutors, the libel having been taken up upon a *fama clamosa*. In such circumstances, therefore, to admit Mr. Wylie, or any member of court, to be a witness, would be manifest injustice. Mr. G. appealed in proof of the correctness of his remarks, to Stuart's Collections, book iv. title iii. section 18. "Albeit judges cannot be both judges and witnesses, yet he is a witness and judge too of what he sees and hears in judgment, for these are counted as *nottour*." Upon

this Mr. G. commented thus; a judge in no case and much less in a case of *fama clamosa*, where the judge is the prosecutor, can, according to this passage, be a witness. He can in no sense be admitted as a witness to *depose evidence*. If he is a witness at all, it is only of what passes before him in *judgment*, *i. e.* during the trial of the case, not of what happened out of court. And this which he sees and hears in judgment, he does not as a witness depone upon oath. It is not requisite he should. His brethren are all witnesses of it as well as he. It is a matter *nottour*, *i. e.* public—upon which he proceeds to form his own judgment. The author introduces this observation with an abruptness and unconcern, as if he meant to convey, that a contrary practice, the admission of judges to depone evidence in any case, was a violation of equity so flagrant, as to require no remarks. If Mr. Wylie then intends to witness, to contemplate and judge, as a matter of public notoriety what passes in the court, this right as a judge he possesses; but if he mean to depone as a witness upon oath, things which he has not seen and heard in judgment, *i. e.* in this court, or in some other where he has sat as judge, he intends to do what is opposed to the dictates of reason and justice, and to the laws of the church. Mr. G. further observed, that Mr. Wylie was not upon the list of witnesses, which were given to him (Mr. G.) to support the libel; that the laws of the church required, he should have had a complete copy of the libel and the witnesses, at least ten free days before the trial;* that Mr. Wylie's name was not among the witnesses, and that, therefore, he was authorised to object to him as a witness, and the court were bound to reject him, according to the laws of the church.

The court refused to sustain Mr. G's objections, although they did not advance a single reason for so flatly opposing the laws of the church. They alleged that Mr. Wylie should be admitted to give evidence, and that they had heard nothing to dispose them to think otherwise.

Mr. G. begged leave of the court to offer further objections. He regretted to be compelled, after adducing proof so clear and decisive against a member of court becoming witness, to offer objections which would implicate Mr. Wylie's reputation. He said, that according to the rules of the church, and he believed of the state, enmity or malice disqualified a witness, and if proven, were relevant to cast him; that were he even not suspected of malice, he was notwithstanding bound to purge himself of it; and that even admitting he was under the influence of neither enmity nor malice, yet if he could be charged with partial counsel, it was relevant to have him laid aside. He appealed to Stuart's Collections, book 4, title 3, sections 15, 16. "If the de-

* See Stuart's Collections, book iv. title iv. section 10—Associate Reformed Constitution, page 516, section 1. on Citations.

fender appear, he may object against any of them, (i. e. the witnesses) and if the objection be relevant, the witnesses are to be cast. The objections of infamy or *enmity*, are relevant to cast any witness." "Though there be no relevant objection against the witnesses, yet they are to be solemnly purged of *malice*,—and of *partial counsel*, by which some understand prompting or consulting for making of the process." Mr. G. then proceeded to charge Mr. W. with enmity and malice, alleging in proof the facts which follow: 1. His voluntarily exposing a letter written him by Mr. G. in the month of October last, under the impression of the warmest and most devoted friendship; exposing it with the malevolent design, not only of injuring Mr. G's reputation with his brethren, but as a document to support a public charge against him; and that too, while, contrary to the directions of our Saviour, and the approved standards of the church, he neither by word nor writ, acquainted Mr. G. with the offence. In proof of this, Mr. G. referred to the Synod in New-York, where the letter was publicly read, and that too before any charge was legally preferred. This conduct being so glaring and treacherous a breach of friendship, and so flatly opposed to the order of the church and the spirit of christianity, whatever construction Mr. Wylie might put upon it, or whatever motives he might offer in apology, Mr. G. presumed proved treachery, preconceived disgust and enmity. 2. His conduct to Mr. G. relative to Oliver M. Becket, which Mr. G. stated thus:—Mr. Becket had demanded of Mr. G. the payment of two accounts.* During Mr. G's stay at the house of Mr. Wylie, August last, Mr. B. sent a note in a very peremptory and insulting tone to Mr. Graham. Mr. G. put the note into Mr. W's hands, observing that he had every reason to suspect Mr. Becket's intentions were dishonest, and that he would see him immediately. Mr. W. proposed to accompany him. Mr. G. enquired at Becket whether he had authority from Mr. Nimock and Mrs. Martin to receive their accounts; and upon finding that he had not, informed Becket that he would not pay the sums until such authority should be obtained; and that soon as it was obtained, he would make payment. Becket instantly flew into a passion, abused Mr. G. and charged him with obtaining the money of Mrs. Martin in his name fraudulently, told a story of a pair of boots and a tea-party, to which Mr. Wylie appeared to pay great attention. The conversation terminated with Mr. G. and Becket agreeing to leave the matter in suspense, until Mr. Wylie should write Mrs. Martin and Mr. Nimock upon the subject; to which Mr. W. readily assented. Mr. G. stated, that Mr. Wylie, instead of suspending his judgment until he should hear from the original creditors, had communicated his

* See pages 64—68, where Becket's oath and cross-examination are stated. See also Mr. G's defence.

belief of the report which Becket had made. This Mr. G. complained of as a grievance, convinced that however little credit the story would have as it came from Becket, it would gather importance from the sanction of Mr. Wylie. That Mr. W. not only had circulated his belief privately, but had made it the ground of a charge before the Presbytery of the 13th of May, and had in a letter to the Synod given his judgment, upon the presumption that the charge could be fully proven; and all this in opposition to his own engagement, that the matter should remain in suspense until he should hear from Ireland; upon no other testimony than the mere verbal statement of Becket, who himself had represented as a person of evil fame; while he could not but suspect that the charge, if it had existed, must have met the attention of the Irish Presbytery previous to Mr. G's deposition. What made the case of partiality and enmity more flagrant was, that Mr. W. who would not give credit to the *high colouring*, as he called it, of the Irish records, should now believe the mere statement of a person of Becket's character, and should, after betraying the confidence which Mr. G. put in him, without acquainting him, have it brought forward publicly as a charge against him. 3. His conduct to Mr. G. comparing his professions of friendship when Mr. G. passed through Philadelphia to New-York, with his malicious and unprovoked conduct in the Presbytery of the 13th and of the 25th, and his letter to the Synod. When Mr. G. appeared at Mr. Wylie's house, he treated him with the usual shew of respect, and acted his treacherous part so well, that Mr. G. was induced to put confidence in him, to converse with his usual candor and freedom, and concluded Mr. Wylie's friendship for him had not been in any degree impaired. In the presence of witnesses, he and Mr. W. had conversed over the affair of Becket, of London, and of the distraction occasioned by Mr. Black's invidious conduct in the west. Mr. G. stated with freedom to Mr. W. the reports which he had heard, and which had been circulated by Mr. Black, of certain charges to be preferred at that time against him, and with interest and ardor enquired at Mr. W. if he knew of any such charges, or of any reports which would implicate him in a process. He with equal interest answered, *he knew of none*, and insisted with much earnestness, that Mr. G. should stop and aid him in the dispensation of the Lord's supper. These conversations happened on the 8th and 9th of May; and in the Presbytery of the 13th, after the most scurrilous abuse of Mr. G. in his absence too, Mr. W. exclaimed repeatedly, "Mr. G. must be denuded of his office; if such a man be kept in the church, I shall not stay in it." During the session of Synod which immediately followed, he had written what he called an *official letter*, of a most scandalous nature, labouring to pervert the judgments of his brethren, and begging them "to strip the wolf of the sheep's

cloathing." These specimens of Mr. Wylie's conduct Mr. G. said; demonstrated a complication of vicious principle. It was treachery combined with deep rooted enmity; malice labouring under the affected shew of brotherhood. Mr. G. further alleged that the interest which he in particular had taken in the prosecution, his pledging himself repeatedly to prove the charges, his aiding in framing them, out of court, which by the way, was an unprecedented way of framing a libel;* and his prompting Becket and the Jamison† to appear as witnesses against Mr. G. not only evinced undue motives in the prosecution, but that he was moreover guilty of what books of discipline called "partial council, or the consulting and prompting for making of the process." Mr. G. added, he humbly presumed, he had proven in the clearest manner, that Mr. W. was a prosecutor; that he was a judge was evident; that he was malicious and inimical to him, and had prompted in making up the process, and as such was guilty of partial counsel, he had proven in part, and would by calling upon witnesses, proceed to demonstrate fully; and that if any of these things satisfactorily proven was relevant to cast a witness, the whole taken together not only disqualified Mr. W. from being a witness, but from being a judge. Mr. G. referred the court to Messrs. Thomas Hazelton and Joseph Cooper, as witnesses, to prove malice, enmity and partial counsel against Mr. Wylie.

The court appeared embarrassed, particularly Mr. W. who admitted the statement of the facts by Mr. G. but denied the inference of malice, enmity and partial counsel; and alleged that as he admitted the facts, it was unnecessary to call upon witnesses. Mr. G. insisted the witnesses should have liberty to depose. After some impotent attempts by the court to evade the depositions, the witnesses were admitted and sworn.

Thomas Hazelton's deposition.

Thomas Hazelton deposed to this amount—That he accompanied Mr. Graham to Mr. Wylie's; that the London affair came up, respecting a certificate; that Mr. G. denied it was a

* On the evening of the 24th, it was agreed that the libel should be the order of the next morning. On the next morning the libel was presented, as it had been framed in private, and passed without a moment's discussion. It was, in the fullest sense, a libel framed out of court. The libelled person had no opportunity of objecting or explaining. And when, after it was read, he attempted to object or explain, he was answered by saying, "Pity the man, pity the man! Does this require any answer, Moderator? No. Who would answer a person infatuated!"

† Mr. Wylie had been in the habit of holding a correspondence with Becket. He acknowledged to Mr. G. before Mr. Hazelton, he had conversed with Becket lately, who told him he did not intend to bring up the affair of Mr. Nimock. Andrew Jamison had been suspended from privileges for some time on account of a charge of fornication. Immediately before the Presbytery in Philadelphia, Mr. Wylie had used much exertion to have the business settled, and had him restored to his standing in the church! Confessed by Mr. W. before the court in Pittsburgh.

forgery, saying that it contained nothing but what was strictly true, and that it was subscribed not by the name of any member of the Irish Presbytery, but by a fictitious name, and could not legally be called a forgery; and said, in mitigation of the circumstance, that he and his family were in a very alarming situation; that Mr. Wylie made warm professions of friendship to Mr. G.; that he called upon him where he lodged, and appeared friendly; that he had made such impressions of friendship on Mr. G.'s mind, that he (Mr. H.) cautioned Mr. G. against being too credulous, and feared there was duplicity in Mr. Wylie; that he heard Mr. G. ask Mr. W. "if he knew of any charges to be brought up against him?" Mr. W. replied, "he knew of none." That Mr. W. had asked Mr. G. to stop and assist him at the sacrament; that in a conversation with Mr. Wylie, Mr. Cooper being present, he (Mr. W.) expressed himself in words to this amount—that he was sorry for the misunderstandings which had taken place between Mr. Black and Mr. Graham, and hoped they would all return good friends from the Synod; that Mr. Wylie had written to the Synod where he (Mr. H.) was present, a letter, praying them "to strip the wolf of the sheep's cloathing," or words to that amount; and that in the Presbytery afterwards, Mr. W. discovered great enmity to Mr. G.; that he called Mr. G. "a hypocrite, a fictitious character," and said, "Mr. G. himself knew he was such a character." He called him "an infatuated man," and called upon the court to pity him; and refused in some instances to put down the words of the witnesses as they expressed them.

Joseph Cooper's deposition.

Deposeth—Mr. Wylie appeared to me to be friendly to Mr. Graham in Philadelphia, on his way to the Synod, before the Presbytery; and Mr. G. went away declaring his confidence to us in Mr. Wylie's friendship, and expected things were not so bad as they had appeared to be. Mr. W. said to us that he wished Mr. G. would stay till Mr. Black would come, and if there was any misunderstandings betwixt them, they might all be done away, and part good friends; and that the people wanted him to stay, and to assist him at the sacrament. The Presbytery met in Philadelphia on the Monday after Mr. G. left Philadelphia for New-York. Mr. W. then manifested his prejudice with the rest of the Presbytery against Mr. G. and said, if he (Mr. G.) would be continued with them, he (Mr. W.) would not continue with them. After they had mentioned a number of reports injurious to Mr. G.'s character, they then appointed Mr. Black to draw up reasons why they did not answer the prayer of Canonsburgh congregation's petition, concerning Mr. G.'s instalment, and to send them to Synod. Mr. W. also sent his judgment to the Synod, with a prayer to "strip the wolf of the sheep's cloathing," that the flock may be saved. Mr. Cooper confirmed the truth of what

Mr. Hazelton had witnessed respecting the enmity which Mr. Wylie discovered in the Presbytery after the Synod, in the several instances which Mr. H. had mentioned.

Soon as the above depositions were completed, Mr. G. asked permission to speak, and observed that he was now at liberty to mention a further circumstance which affected the veracity of Mr. Wylie. He said he had understood Mr. Wylie had declared with vehemence, and repeatedly, in the presence of witnesses, in the house of Samuel Scott, that the conversation which he and Mr. G. had relative to the London affair, was private, between Mr. W. and Mr. G. alone, and when Mr. Scott said that both Mr. Hazelton and Mr. Cooper had said it was in the presence of witnesses, in particular in the presence of Mr. H. Mr. Wylie replied once and again, that "they were both liars," and "he could swear to the contrary." Mr. G. further remarked, it was evident, from the deposition of Mr. Hazelton now given, and from Mr. Wylie's admitting the fact, that Mr. G. and he were not alone, but that at least Mr. Hazelton was present during the above conversation; and that if Mr. Wylie had expressed himself as was represented, in Mr. Scott's, he certainly was guilty of falsehood. Mr. G. then requested to call upon Mr. Scott and John M'Haffey, to witness to the expressions of Mr. Wylie at Samuel Scott's.*

Samuel Scott sworn.

Deposeth—On last Wednesday Mr. Wylie came to his (Scott's) house: A certain conversation took place between Mr. Wylie and him in the kitchen, concerning Mr. G. and the conversation Mr. W. and he had in Philadelphia. He told Mr. W. that it was very strange that Mr. W. should say *there were no charges against Mr. G.* and treat him friendly, and then send charges to the Synod. Mr. W. told me he had got charges enough from Mr. G. to send the letter to the Synod. I asked Mr. W. what the charges were? He said they were the charges which came from Ireland, and forging a certificate in London. I told Mr. W. I thought it strange dealing with Mr. G. to declare to him in his own house that he had *no charges, nor knew of none.* He likewise told me, that Mr. W. and Mr. G. had a conversation in his own house, by themselves, and Mr. G. gave him enough to make charges of. I told him that Mr. Hazelton and Mr. Cooper had a conversation with Mr. W. before Mr. G. went to Synod; that he knew no charges against Mr. G. and Mr. W. hoped they would come good friends from the Synod. He likewise told me *they were*

* As a specimen of the zeal of the present members of court to unduly work upon the weaknesses of the people, to the prejudice of Mr. G. Messrs. M'Leod, Wylie, Black, &c. the week before the trial, had, in military phrase, *made a diversion* through Mr. G.'s congregation. They had each in turn laboured to sow the seeds of suspicion and calumny, with unsparing hand. But with what success, a few days afterwards discovered. The disgraceful revel with which they closed the scene will speak for itself.

both liars, and he (Mr. W.) could swear it. He likewise asked me, would I believe him (Cooper) before the court? I told him I would, for I looked upon Cooper as an honest man.

Cross-examined by Mr. Wylie.

Q. Did you not say you would believe him before my oath?

A. Yes.

Q. Do you recollect I told you not to be angry?—A. I do.

Q. Did you not say you would as soon believe Mr. Hazelton and Mr. Cooper, as an angel from heaven?—A. Yes, I did. [This question was some time after repeated, when S. Scott replied, I have said it. Mr. Wylie said he pitied him, and after a few such phrases, sat down.]

[Here Mr. G. attempted to speak, but would not be permitted.]

John M'Haffey sworn, deposeseth.

Mr. W. was asked the reason why, when Mr. Graham went to Philadelphia, he was told there were no charges against him. Said Mr. W. that is not true. Said I, we were informed, that he was told *there were no charges against him.* Said Mr. W. do you believe that? Said I, I do. Said Mr. W. *I could swear to the contrary.* Said I, be that as it may, I believe the report I got from Mr. Hazelton and Mr. Cooper, as well as if I had been eye and ear witness to it. Said Mr. W. then would you believe my oath, if I would swear it? Said I, I would think hard that I should not believe your oath. Well then, said he, you believe these mens' words, you must then have my oath before you believe me; I thank you for the compliment.

Cross-examined by Mr. Wylie.

Q. Were you not in a passion when we conversed together?

A. No more than I am at this moment.

Q. Did not your face color up and get red?

A. I did not see my face, but if it did, I did not feel it.

Mr. Graham begged leave to remark upon the depositions, that Messrs. Hazelton and Cooper's evidence established two facts; 1st, that the conversation respecting London was not private between Mr. W. and Mr. G. but that Mr. Hazelton was present; 2d, that Mr. W. had declared, both to Mr. Graham and themselves, that he knew of no charges to be brought against Mr. G. The evidence of Messrs. Scott and M'Haffey proved that Mr. Wylie had said, the conversation with Mr. G. was privately by themselves, and that he could swear it; that he had denied his saying that he knew of no charges against Mr. G. and would swear it, and had called Messrs. Hazelton and Cooper liars, because they had represented to the contrary. Mr. G. alleged the charge of lying was thereby fully substantiated against Mr. Wylie, which, in addition to what had been proven before, was certainly relevant to cast him as a witness. [During these observations Mr. G. was frequently interrupted, and ordered to silence.]

Mr. Wylie made an impotent attempt to exculpate himself from the criminality alleged against him. He observed, that he thought it his duty to expose Mr. G.'s letter, illustrating it with his usual elegance, by supposing a friend of his were to call his wife a whore, was he obliged to conceal it? He admitted he had treated Mr. G. *politely*, but not friendly. He admitted the facts stated, but denied malice, enmity, partial counsel, and falsehood. He pitied the witnesses, and said they were disqualified by their passions to produce any thing in evidence worth attention, at the same time he admitted they were honest men. He denied using the term *liars*, in Mr. Scott's, and supposed *the people in the BACK WOODS were so prone to such language, that they thought he had used it*. He concluded, by leaving it with his brethren to defend his character, and to judge whether he ought to be set aside as a witness.

Mr. Wylie was succeeded by Mr. M'Leod, who, in a violent and vociferous speech of some length, with evident paroxysms of rage and disappointment, declared that Mr. G. had forfeited Mr. Wylie's confidence; that Mr. W. was no enemy to Mr. G. He pitied him; he loved him as a man, at the same time he could not help abhorring his conduct; that nothing had appeared to militate in the court against Mr. Wylie as a witness, and concluded by moving that Mr. Wylie be admitted to swear. The motion was seconded and carried.*

Mr. G. begged permission of the court to speak, which was spurned at with indignation.

Mr. Wylie was sworn, and deposed as follows :

I think, to the best of my knowledge, on the day after Mr. G.'s arrival in Philadelphia, in the month of May last, he called at my house, in company, as far as I recollect, with Messrs. Hazelton and Cooper; that after various desultory conversation, Mr. G. had reference to the affair of Becket, and after various unimportant observations, declared, that Becket's character was so infamous, that no person of understanding could put any credit in his representations; that he himself would not have regarded it, had it not been for the impression it made upon his good friend Mr. Wylie. Mr. W. replied, he must confess, he did feel impressed with the circumstance and conversation which passed in his presence, and if it were weakness, it must be referred to his constitution. Mr. G. replied, that his brethren in the ministry were bound to protect his character, and illustrated the principle by the following similitude—that if he (Mr. G.) had heard in Pittsburgh, that Mr. W. had been found in a brothel in Philadel-

* The agitation and malevolence to Mr. G. which M'Leod discovered during his remarks, excited general disgust. And, as was to be expected, after such an accumulation of irresistible evidence against Wylie, it was the general opinion that M'Leod had *vociferated* nothing but *bombast*.

phia, ought he (Mr. G.) to give the report any credit? Ought he not rather to spurn it as a calumny? Mr. Wylie replied, he ought, undoubtedly, and assigned as a reason, that Mr. W. was a man of unblemished character. Here he (Mr. W.) supposed a case, which he alleged to be a parallel, viz. that if Mr. W. had been actually found in a brothel, several years, say two before; had been converted in court; had confessed the crime, professed penitence, and submitted to censure, and then he (Mr. G.) had heard in the back woods that Mr. W. had been seen in a brothel, he might believe it. Mr. Wylie assigned his reasons for believing the story of Becket, and thought the man who had forged a certificate in London, might be guilty of a forgery in the petty sum of two guineas. Mr. G. declared his astonishment, that any person could conceive a clergyman of respectability, as he at that time was, and in a place he was well known, and where the imposture could be instantly detected, should be thought to use a false token for two guineas; and said that he was not guilty of forgery in London, and that his conduct respecting the certificate was both honourable and proper.

Cross-examined by Mr. Graham.

Q. Did not Mr. G. in conversation, observe, that you (Mr. Wylie) were not at liberty to declare your conviction of the truth of such a representation as Becket's, without proof, at least without first receiving some account from Ireland?

A. Words to that amount may have been expressed.

Q. Did you not, sir, in May, 1810, write president Knœx of Baltimore, that Mr. G.'s conduct, all things considered, was to his honour?

[Here the court interfered, and ordered Mr. G. to keep to the point, and told him (Mr. W.) he had no right to answer such a question. Mr. G. alleged, in defence of the question, that it was a just one; that if answered in the affirmative, which it certainly must, it would involve the witness in a charge of inconsistency, and that as such, he had a right to put it. He was sternly ordered to silence by the court.]

I have now, my dear friend, laid before you, with the most scrupulous accuracy, the sum total of the evidence adduced to support the first charge, viz. "Of withdrawing that profession of repentance, on the footing of which you were restored to the exercise of the office of the holy ministry." This evidence, you will perceive, is distributed into three parts—a speech which Mr. G. is said to have uttered before the Synod; words which he is said to have dropped before the Presbytery which met after the Synod; and Mr. Wylie's deposition.

You will reflect maturely, and satisfy yourself, whether an *imputation*, as the Synod's minute has stated it, or the irritable language which the Presbytery's records represent Mr. G. as using, even admitting them true, were sufficient to lay a ground for a

prosecution; you will determine what weight is to be attached to Mr. Wylie's deposition, after the facts produced in evidence against him; you will finally judge whether, upon the whole, the evidence adduced in support of the first charge, merited a reply.

Yours, &c.

LETTER II.

REVENGE from some baneful corner shall level a tale of dishonour at thee, which no innocence of heart or integrity of conduct shall set right.—The fortunes of thy house shall totter,—thy character, which led the way to them, shall bleed on every side of it,—thy faith questioned,—thy works belied,—thy wit forgotten,—thy learning trampled on. To wind up the last scene of thy tragedy, CRUELTY and COWARDICE, twin ruffians, hired and set on by MALICE in the dark, shall strike together at all thy infirmities and mistakes:—The best of us, my dear lad, lie open there,—and trust me,—trust me, *Yorick*, *when to gratify a private appetite, it is once resolved upon, that an innocent and an helpless creature shall be sacrificed, 'tis an easy matter to pick up sticks enow from any thicket where it has strayed, to make a fire to offer it up with.*"—STERNE.

MY DEAR FRIEND,

IN my last, I laid a faithful narrative before you of the evidence brought to support the first charge. I am now to attend to the remaining charges of the libel. In doing so, I shall take them up in the order in which they occurred, and were presented by the court.

Having, upon the morning of the first day of the sitting read the depositions of the Presbytery in Philadelphia, and adduced the evidence for the first charge, it was moved that the remaining charges should be passed over, and that they should proceed to take in certain papers purporting to have been from New-York.* These were in the possession of Mr. McLeod, who, you

* An immense auditory had waited upon the trial the first day. The court had very sagaciously conceived, the people would not so generally attend on the following day; and with an eagerness which few could mistake, they called for McLeod's packet of slander. In ordinary cases, it would have been a masterly

will soon learn, had sacrificed both his *peace* and his *reputation*, to carry on the prosecution.*

Upon the court desiring him, he proceeded to read, with much apparent pomp and gravity, but not before he had acquainted a large and respectable auditory, that the object of the papers which he was about to read, *was not to prove the charges in the libel, but only that there was a fama clamosa existing respecting Mr. G.* [Here Mr. G. objected to the cruelty and injustice of a court, who had met professedly to prove a libel, to proceed to spread calumnious reports against him. He was sternly commanded to silence. He begged the court to hear him, and not to proceed with such an unrelenting obstinacy to impugn his character, when they acknowledged themselves there was no proof, and where the professed object of the court was to propagate evil report. The members of the court united their voices, and with violent vociferation and gesture, ordered him to silence.]

M'Leod stood up and read No. 1, as the court pompously phrased it. No. 1 was the Irish letter read in Synod, which see, page 31.

No. 2. The Irish letter dated from Maghera, Nov. 17, 1810—see the *printed extracts*, page 18.

No. 3. A letter purporting to have been from a Mr. Henderson, and out of which a paragraph was read relative to Mr. G. expressing his sorrow at his being admitted into the church, and followed by a bitter invective against his reputation.

No. 4. A letter from Mr. Alexander to Mr. M'Leod—which contained the following paragraph:

"I hope, dear brother, you will be good enough to present the above epistle at your next meeting of Presbytery or Synod. The last time I wrote to you, I gave you particular answers to the queries you made respecting Mr. Graham, and still remain to be of the same mind—that nothing short of Mr. G's paying his debts will restore his good name, and that promises now given, after so many promises, will be considered as so many lies told over again. I also told you those circumstances in Mr. G's history that were favourable—and these induced me still to hope he might still be useful in the church, if he could get honourably into it. I hope what I then said in freedom, did not offend you or Mr. G."

Nos. 5, 6, 7, 8, 9, consisted of testimony purporting to have come from Peter Dustan, John Hone, William Codman, Steven B. Munn, and Thomas Thornton, of New-York. They were in

stroke of policy; but in the present instance it was of no avail. The auditory became more numerous daily, and the court had the mortification to see the unprecedented imposture of M'Leod exposed to a much greater audience, than that upon which No. 1, 2, 3, &c. from New-York, descended with the impetuosity of a cataract.

* See the defence.

substance as follows: they charged Mr. G. with having broken a contract respecting a school in New-York; with beating a boy of Mr. Murray unmercifully, with a passionate and extravagant disposition, and one of them, Peter Dustan, had represented Mr. G. as using profane words. These testimonies were afterwards found to be in the hand writing of Mr. M'Leod, without any signatures appended,* *as such they must have been forged*, and are, therefore, deemed unworthy of insertion in the narrative.

No. 10 was a letter purporting to be from John B. Murray, in answer to one written by Mr. M'Leod.†

No. 11. James Parke's letter, urging a demand of three guineas against Mr. G. on his father's behalf.

No. 12. James Wilson's letter to John Black; dated

Bedford, July 22, 1811.

"I have received two letters from you since I wrote you, but you had not received my last letter. You, however, give me the information I requested. I am distressed for the state of our church in that country; but I hope the people will, ere long, return to their right mind. I find that, which indeed I expected, the letters I wrote to the western country have been shewn to G. He is enraged. He has written a long letter to Judge Walker, abusing me and the Synod. Poor man! he is not aware that his character is too well known here, for him to change it by bold assertions. In his letter to the Judge, he states, that while he was here on his way to Synod, I bestowed merited censure on his brethren for their persecution of him—one falsehood. 2d. That, unsolicited, I offered to write to some of the brethren, expostulating with them on this persecution—another falsehood. 3d. That I wrote to the brethren every thing which he had said to me in confidence, and treacherously influenced their minds against him—this is a falsehood. I doubt he has no regard whatever to truth. Now such a man must soon destroy himself."

No. 13. A letter from James Nesbitt of Colerain, which had been addressed by Daniel Fisher of New-York, signifying that he (Nesbitt) was heir to Samuel Taylor, to whom Mr. G. had owed 100 pounds, by promissory note, and empowering Mr. Fisher to recover it, which it appeared Mr. Fisher had refused.

No. 14, was an advertisement read by Mr. M'Leod, which had been published in New-York, by Daniel Baehr, merchant

* See the defence.

† The Editor has to regret that he has not a copy of John B. Murray's letter, written at the solicitation of Mr. M'Leod. Either it was not given to Mr. G's clerks to be transcribed, or it has been mislaid. The letter was one *en sui generis*. It spoke of *pointing the finger of scorn* at Mr. Graham, whom it designated a *wretch*, a *monster*, a *hypocrite*, a *wolf*, &c. &c. It represented Mr. G. as treating a boy of John B. Murray unmercifully; that Murray had sued Mr. G. in the Mayor's Court, and was cast; that he had renewed the prosecution in the Supreme Court, and had cast Mr. G. in fifty dollars, with costs.

taylor, representing that Mr. G. had left an address with said Baehr to Union College, Baltimore; that he had enquired after it, and no such college could be found; that he had, therefore, published the matter, &c.

No. 15. A letter from James Jennings, stating that there was no such college, as Union College, in Baltimore.

No. 16. A representation made by Mr. McLeod of a conversation which he had with Ezra Sergeant, bookseller, New-York, wherein Mr. Sergeant had stated that Mr. G. had owed him about \$60, for books; that he had paid him his bill in May last, but had still credit in his books to nearly that amount; that Mr. Sergeant had understood Mr. G. was a teacher in Canonsburgh, and discovered surprise at learning that Mr. G. was not installed; and that Mr. G. had proposed paying him \$100 yearly for books, and wished a running account to that amount.

No. 17. A letter from Mr. Knox to Mr. Wylie, complaining that Mr. G. had taught him to expect he would accept of a place in the college, which place had been vacated and kept for him for some time. Here Mr. G. enquired at Mr. Wylie whether he had in his possession a letter which Mr. Knox had written him prior to the letter read, in which, as Mr. Wylie had expressed in a letter to Mr. G. "Mr. Knox seemed to think he required to make an apology for his treatment of Mr. G." The letter was not to be produced; on which Mr. G. desired that it might be attended to, as an instance of evident partiality.

No. 18. was a letter from Mr. Boggs, addressed to Mr. McLeod, wherein he vindicated the conduct of the Irish Presbytery relative to Mr. G.—which, as usual, was followed up with invective.

The court next proceeded to call upon such as they understood had Mr. G's confidence, particularly Messrs. Hazelton, Cooper, Slater, Wylie, Church and Wallace. These gentlemen, of unblemished character and exemplary piety, had conceived the motives of the court in calling upon them, to have been tyrannical and impious. They unanimously refused to give evidence in the case, assigning for reasons—that the court appeared to them to have acted under the influence of prejudice and malignity against Mr. G. from the commencement; that their design in calling upon them, was manifestly to torture their consciences, to extort something from their confidence against Mr. G.; that they regarded the conduct of the court in the light of an Inquisition, and of the persecutors of the reformers, in endeavouring to rack the consciences of men to criminate others; that they thought it their duty, to testify against them in their illegal proceedings; that they had nothing to evidence that would not be to Mr. G's honor; but that they abhorred the principle upon which the court proceeded, and would think it criminal to comply with their requisitions.

The court proceeded to call upon several witnesses, who did depone. My dear friend, I must now beg a boon. You will readily admit that it would be a grievous and endless task to present you with a full narrative of the transactions of two or three days spent in lecturing witnesses. The greater part of the evidence which followed on the part of the court, was perfectly useless, and appeared to be intended for no other purpose than to exhaust the attention of the people, before Mr. G. should begin his defence. The objects which the court directed their attention to now, were three: to prove that Mr. G. had calumniated the judicatories—that he had involved himself in debt in the western country—and that he was labouring to make a party. To prove one or more of these, several witnesses were called, as follow:

Samuel Smith.

Who deposed to this amount—That Mr. G. had complained of the conduct of his brethren, particularly Mr. Black; that he never heard Mr. G. call them persecutors; and that he did not know the sum with which Mr. G. was complimented by his friends in Pittsburgh.

John Stevenson deposed to this amount—That Mr. G. had acted upon his protest; that he did not know the sum of money which Mr. G's friends had given him; he could not tell for what purpose it was given. This was in answer to such questions as these. Was it to pay his Irish debts, he received that money? Who gave you the subscription paper? Who were they who subscribed it? To this last question Mr. Stevenson replied, I cannot be particular—I subscribed it for one, and would do it again.

Walter Bell deposed to this amount—That he heard Mr. G. preach since the Synod; that a paper which he thinks was a remonstrance, was drawn up, which the session and people signed; that they agreed to stand and fall with Mr. G.; that he did not hear Mr. G. give the Synod or Presbytery abusive names; that it was not Mr. G. but Thomas Hazelton and Joseph Cooper, who gave an account of the treatment he (Mr. G.) had received; and that he heard Mr. G. say, he would preach as long as the people would hear him. *Question by Mr. G.*—Do you know of any thing erroneous in my doctrine, or immoral in my conduct? No; but as far as I know, both in the pulpit and out of it, a very becoming conduct.

Zacheus Wilson deposed to this amount—That Mr. G. had acted upon his protest; [proceeded to relate the representation they had got of the Synod and Presbytery by Mr. Hazelton and Mr. Cooper.] *Questions put by Mr. Graham.* Do you know any thing immoral in my conduct? No; nothing but what is every way becoming a minister of the gospel. Q. Did you ever hear any of my brethren say any thing to my prejudice? A. I heard Mr. Black had said to an elder (S. Wylie) that Mr. G. was a popular man and a great preacher, but that his motives were

vanity, and the like ; which left an impression on my mind that Mr. G. was a hypocrite. Q. Was any thing beyond the stipend justly due, given me before I went to Synod? No; I do not know of any.

William Tomond deposed to this amount—That he met with T. Hazelton and J. Cooper in John Wallace's, after the Synod ; that they represented the conduct of the Synod and Presbytery as cruel and unjust; that they said the members of Presbytery had called T. Hazelton infatuated, and Mr. Graham deranged. *Question by the court.* What did William Church say of the matter? A. He said that Mr. G's brethren were jealous of his abilities. Q. What further did he say? A. That if an inch was cut off Mr. G's tongue, it would settle the business. Q. What did you say to Church? A. I told him there were as able men in the Presbytery as Mr. G. Q. What did Church say to that? A. He said I was an impudent fellow. Q. What did you say to him? A. I said he was an impudent scoundrel. Q. Very well; did you and he come to loggerheads! A. No.*

George Kirk deposed to this amount—He gave a narrative of the representation which Messrs. Hazelton and Cooper made after their return from Synod ; told of a paper drawn up and signed by the session and the people of Canonsburgh, stating their grievances, and agreeing to remain upon the footing of the protest; that this paper was signed by all, with the exception of himself; that during the time the people reasoned the matter, Mr. Graham was not present. [Here he gave a tedious account of the reasonings of the people; proceeded to tell how he had received the Synod's deed from Mr. Black, to have it published in the congregation, but did not publish it, because Mr. G. had said no such slanderous stuff should be read to the congregation convened by him for public worship; but if he (Kirk) or Mr. Black chose to call the people together, he had no objections; to which he (Kirk) replied, he would have nothing to do with it; proceeded to tell of a conversation he had with William Church and John Wallace about a subscription paper, &c. &c. *Question by the court.* What time did Mr. Hazelton go out to Canonsburgh? A. In the spring. Q. Do you know whether Mr. G's brother-in-law paid his (Mr. G's) debts? A. I cannot say. Q. Did he pay a debt for Mr. G. to Mr. Jennings? A. I cannot say; Mr. Jennings told me that debt was paid. Q. Did you hear Mr. G. had got money out of the Bank in Pittsburgh? A. Yes. Q. How much? A. About 300 dollars. Q. How much money did the congregation

* This is a correct specimen of the rational and edifying manner in which the prosecution was conducted. The witnesses were kept explaining, lecturing, and answering questions, whole hours together, to as little purpose as this. What in the name of common sense had Mr. Graham to do with Mr. Tomond and Mr. Church calling each other scoundrels? Or what object could the court have in view by the mysterious question, Did you go to loggerheads?

advance? A. I do not know any thing but by report—I heard about 300 dollars. Q. Did you hear he had got money from Robert Finney? A. I cannot say but from report. *The court*—We only enquire after report. Did you hear it was to pay his Irish debts? A. I did not.

James Millar was called to depone. He objected to the practice of the court, in calling to be a witness, without warning some time before, which he understood was customary with the church. He wished some time to think. Mr. McLeod exclaimed with a sneer, *let him go and say his prayers*. To which Mr. Millar replied, I do not say my prayers. After a short time, James Millar appeared, and asked the court if he was to be at liberty to tell the *whole* truth, and upon that condition he would submit to be qualified. The court answered in the affirmative. He was sworn, and deposed to this amount—That he had heard by a boy, William Huston, who said Mr. Black told him Mr. G. had got \$300 in Pittsburgh, and \$300 from a drover on the way to the Synod; that he saw a letter written to William Church by Mr. Hazelton, which represented the instalment not granted, and that Mr. G. was frequently ordered by the Synod, with a stamp of the foot, to be silent; that he conversed with William Church and John Wallace upon the subject of Mr. G. and his brethren, and they seemed to fear much lest it should come to a breach. *Question by the court*. Did you ever hear Mr. Graham preach? A. Yes; I heard him three times, and I bless God I did hear him. Q. Did you disclose to Mr. Graham a private conversation you had with Mr. Black? A. I did not. [Here the witness was beginning to advert to the conversation, but was prevented by the court, by telling him he must not inculpate any of its members.]* *Question by Mr. Graham*. Did those with whom you conversed shew any enmity or ill will to the Synod or Presbytery? A. No; it was much otherwise. Q. Had you any conversation respecting Mr. G. with Mr. Williams, since the Synod? A. Yes. Be so good as to give a short narrative of what passed. Here the court interposed its authority, and told Mr. Millar he must not inculpate any member of the court. Mr. Millar expostulated, observing he had sworn *to tell all the truth*, and begged the court to hear him. The court ordered him down. He persisted wishing them to let him *exonerate his conscience*. After much altercation, during which the court frequently ordered him down, and the auditors discovered marked disapprobation of the partial and tyrannical proceedings of the court, James Millar withdrew.

* Mr. Black had occasioned much vexation of mind to this *pious man*. He had before the Synod, in order to prejudice him against Mr. G. told him a number of slanderous reports; and when he was done, called upon Mr. Millar to pledge himself solemnly not to divulge them. Mr. Millar remonstrated against Mr. Black's conduct, and told him, he ought to acquaint Mr. G. himself. With this honest advice Mr. Black never thought proper to comply.

*Deposition of Dr. M'Leod.**

Dr. M'Leod prefaced his deposition by several solemn and swelled appeals to heaven, in confirmation of the purity of his intentions, of his own piety, and the piety of his ancestors for many generations. He said he could moreover appeal to all who knew him from a child, during the time he passed his studies, and since he entered the ministry.†

Dr. M'Leod of New-York testifies and says, that he has no ill will against the Rev. David Graham; that he sincerely wishes his welfare in time and through eternity; that he feels for him and for his family, and that nothing but a regard for truth, and the honor of that religion, which Mr. Graham has, in his opinion, scandalised by his personal and ministerial deportment, induces Dr. M'Leod, in obedience with the ninth commandment, to disclose what has come within the sphere of his observation.

He will accordingly relate facts and words, which, in his judgment, evidence that Mr. Graham is in the habit of uttering falsehood; appears destitute of piety; is guilty of hypocrisy; and designs to make his ministry an engine for procuring lucre to gratify personal vanity.

I. Dr. M'Leod received from Mr. Graham a letter some time after his arrival in New-York, and before Dr. M'L. ever saw his face, putting himself under the care of the church, and requesting that order be taken in the case. Mr. Thornton, the intimate friend of Mr. G. informed Dr. M'L. that Mr. G. was anxious for restoration. On the first interview, Mr. G. himself confirmed this, and declared to Dr. M'L. his anxiety to be re-admitted to preach; and in a letter from Mr. G. to the Northern Presbytery, uses these words: "I esteem it my greatest honor and felicity to be numbered with you in the ministry." In the spring of 1809, Mr. G. also expressed to Dr. M'L. great eagerness to be restored, and yet he denied before Synod that he was anxious for

* The same objections militated against Mr. M'Leod's being a witness, as did against Mr. Wylie. His malice, enmity and partial counsel were still more palpable than those of the other. He was a judge and a prosecutor. The reader is referred to the perusal of the objections stated and proven against Mr. Wylie, in pages 83—87. Mr. G. did not proceed to repeat. He considered it a prostitution of time and argument, and calculated only to vex and mortify his own feelings. M'Leod, therefore, as a witness, gained easy admission. It is not surprising he laboured to make way for the evidence of Wylie.

† It is generally reported of Mr. M'Leod, that at an early period of life he enlisted a common soldier, some say, went aboard the British fleet; that after spending some years in the service, he deserted from on board a British vessel, upon the American coast, and shortly after commenced his education in Schenectady. This account is given of him by a number of Scotch families resident near Schenectady, who collected money to aid Mr. M'Leod in the prosecution of his studies. Admitting this to have been fact, Mr. M'Leod ought to have lodged an appeal with his fellow-soldiers, in behalf of his exalted piety. This was a period of his life some might be tempted to suspect more than any other. It demanded still greater and more solemn protestations.

restoration, and asserted that he was inveigled and seduced into that measure.

2. Mr. G. confessed to Dr. M'L. at the first interview with him, that he had framed for himself in London a certificate from the Reformed Presbytery in Ireland, to which he subscribed fictitious names, and that he did this in order to be admitted into, or continued in, the friendship of the Rev. Rowland Hill, George Burder and Mr. Waugh, that he might, through their favour, obtain bread for his family, then in danger of starving. He confessed his having deceived his creditors, who purchased at his auction, and declared that he expected for his conduct nothing short of degradation from his office. He spoke of the conduct of the Seceders in Ireland to him as mean and malicious, and of the ministers of the Covenanted church in terms of the highest respect; he confessed his guilt, and that he merited the highest censure; and yet afterwards Dr. M'L. heard Mr. G. both in Philadelphia and New-York, declare that the Irish ministers of the Covenanted church had persecuted him, and that it was malice and jealousy that induced them to censure him; or words to that amount.

3. Mr. G. complained to Dr. M'L. of the opposition made to him by the proprietors of the Greenwich school, denying their right to expect that he would teach on Wednesday afternoon; to limit his school, and to ascertain the number of scholars, and grant no vacation in August—and yet, in the course of conversation Mr. Graham *indirectly* admitted, that it was agreeable to his contract with Mr. Dustan.

4. Mr. G. as I understood from others, was in the habit of representing his old sermons as composed at the spur of the moment; and Dr. M'L. heard him intimating this to have been the case with his discourse before Presbytery in Philadelphia, and two sermons in New-York, which Mr. G. himself informed Dr. M'L. had been taken out before, and in his possession.

5. Mr. G. made many promises to Dr. M'L. of preaching for him, and disappointed him; he often sent him written apologies for the disappointment, and he afterwards declared he had been previously determined not to preach in Dr. M'L.'s pulpit at all.

6. Mr. G. declared repeatedly to Dr. M'L. after he had visited Baltimore, his determination to settle there; spoke of the agreements made with the church there; informed him of his design to settle in the north; and asserted that Dr. M'L. was unfriendly to Mr. G.; that Mrs. M'Leod never invited Mrs. Graham to tea, or words to that amount, neither of which is correct.

II. The subject of practical religion is delicate; but the truth must be disclosed. Dr. M'L. from the very commencement of his intimacy with Mr. G. has been afflicted at his conduct, in always waving conversation on subjects of experimental religion, and his never appearing to take any interest in the affairs of the

church; but what respected the state of congregations as to their ability to afford a settlement.

Mr. G. was totally negligent of fellowship meeting while he lived in New-York; he never, as far as Dr. M'L. knows, except once, and that was accidental, attended society during the year and a half he lived in New-York and its vicinity; he never attended the lectures delivered to the societies and congregation on the testimony, or the public examinations; he was very negligent of public worship; his conversation on the Lord's day was more loose than Dr. M'L. was accustomed to hear; he never appeared humbled for his former scandal as he ought; his whole manner was otherwise; he never in his prayers, so far as Dr. M'L. could observe, referred to his own case, or gave evidence of his being suitably affected by the injury he had done to religion, but had frequent allusions to his personal enemies; he declared that he was vexed at Dr. M'L.'s prayers about him, and did appear uneasy at the fact of having public prayers offered for his contrition and sincere repentance.

III. When Mr. Graham was affectionately and solemnly charged by Dr. M'L. on the evil of his conduct, and the danger of it both to himself and to his family, he confessed, with sobbing which nearly prevented utterance, and melted Dr. M'L. into tears; that he must have appeared in a very bad light to Dr. M'L. that Mr. G. himself had been acting a fictitious character; that it was not natural to him. He confessed that from his general conduct and behaviour in Dr. M'L.'s presence, Dr. M'L. could not but have a bad opinion of him; that he assumed that tone and character, thinking it the way to procure respect from men; that it was not natural to him, and that he did not approve of it himself. He on this occasion, and repeatedly from the commencement of their acquaintance, professed for Dr. M'L. great esteem and confidence in his integrity; he insinuated that he had rather been tried in Synod, where Dr. M'L. was present, than in the Middle Presbytery.

Mr. G. frequently attempted to procure by flattery the confidence of Dr. M'L. he spoke to Dr. M'L. of his acknowledged talents; of his knowledge of theology; of his superior critical skill; of his influence and reputation in the church abroad, in such an artful manner, as if Dr. M'L. had not always been suspicious of a man who had already been repeatedly and publicly branded for falsehood, might have put him off his guard. Mr. G. in such conversations insinuated, as Dr. M'L. believes, a desire to make himself a party man in the church with Dr. M'L. he was chagrined on having this offer rejected, and displayed vexation on the picture drawn by Dr. M'L. of the harmony, the unanimity, and personal friendship which existed among the American ministers; he declared this vexation openly as reflected upon him, although there was nothing but Mr. G.'s own conscience that would justify

the application. Mr. G. expressed uneasiness at several of Dr. M'L's public exhibitions. If Dr. M'L. spoke against superficial preachers, Mr. G. took it to himself, and was offended; if he made remarks on solid talents and integrity, Mr. G. was offended; if Dr. M'L. discussed any subject on which Mr. G. had preached before, Mr. G. said it was in order to cast him in the shade, and expressed himself offended. Mr. G. after disappointing Dr. M'L's congregation repeatedly, and absenting himself some sabbaths from public worship, was called on by Dr. M'L. Mr. G. complained that he could not preach with freedom in Dr. M'L's pulpit, because the style of preaching used by his brethren did not suit him; and he specified particularly that of Mr. Wylie and Dr. M'Leod, complaining that too much learning, too much matter, and too much argument were introduced into the discourses, saying that the press was the vehicle of such discussions, and that a sermon should be a mere persuasive oration—he promised, however, to preach for Dr. M'L. the following sabbath, but did not perform it.

IV. Mr. G. confessed to Dr. M'L. that he had employed his ministry in London to keep his family from suffering, although this led him to forgery, and being very suspicious that his motives were not the good of the church, Dr. M'L. observed very attentively Mr. G's conduct.

Mr. G. proposed to open in New-York a place to preach in, with a design to get some money, and confessed this to Dr. M'Leod. He often, after hearing from Mr. Wylie, in the winter of 1808—9, the prospects in Baltimore, expressed a greater anxiety than formerly for being admitted to preach.

Mr. G. changed his mind, altered his purposes, and without respect for church order, expressed a desire to be settled in Baltimore, or Walkill, or Albany, immediately, as the prospect of emolument presented itself; he was also reluctant to go any where, even as a supply, where the prospect of compensation was not good.

Dr. M'L. heard Mr. G. abusing those persons that had been his friends, and had given him pecuniary accommodations, in an illiberal manner, when they ceased to bestow money, and others have given him similar information. So far as Dr. M'L's knowledge extends, Mr. Graham used money very sparingly for every thing but the superfluities of life.

The truth of which is testified by

A true copy.

ALEXR. M'LEOD.

Cross-examined by Mr. Graham.

Q. Did not these transactions and conversations, to which you have alluded, happen before the month of May, 1810?—A. Yes.

Q. Did you ever inform Mr. Graham, either by word or writ, that you determined to complain of his conduct to the church?

A. I believe not.

Q. Did you not ask Mr. G. to assist you at the dispensation of the Lord's supper in the month of January, 1810, and did he not assist you?—A. Yes.

Q. Did you not repeatedly ask Mr. G. to preach for you afterwards, and did he not preach at your *written* request, a whole day for you in the month of April, 1810?—A. Yes.

Q. Did you then discover to Mr. G. any unwillingness to hold communion with him?

A. I had my fears and my grievances, but do not recollect to have stated them.

Q. Did you not aid Mr. Wylie in dispensing the supper in the May of 1810, in company with Mr. Black, Mr. M'Master and Mr. Graham?—A. I did.

Q. On that occasion, when Mr. G. discovered to his brethren an unwillingness to hold communion on account of the treatment he had received, did you not say to Mr. Wylie you had nothing against Mr. G. and you should wish misunderstandings removed, or words to that amount? For the truth of this, before the witness had time to answer, Mr. G. appealed to Mr. Wylie. It was admitted.

Q. Did not Messrs. Wylie, Black, and M'Master, on the fast day evening, labour to have you and I reconciled, in the house of Mr. Wylie?—A. Yes.

Q. Did you not declare again you had nothing in your heart to prevent you from fellowship with Mr. G. and propose to do every thing in your power to have difficulties removed?—This was admitted.

Q. Did not your brethren, after Mr. G. had represented the treatment you had given him in New-York, agree, and say, that "*Dr. M'Leod's conduct to Mr. G. was imprudent and inauspicious*?"—Before the witness had time to reply, Mr. G. appealed to Messrs. Wylie and Black for the truth of the fact. It was admitted.

Here Mr. G. proceeded to ask him relative to that interview. Did not the brethren labour to bring us together? Did they not at last prevail? Did not you and I approach each other and shake hands, in evidence that no further misunderstandings existed, and that we were restored to mutual confidence? Did you not with a sigh and tears, put both your hands on mine, and with earnestness exclaim, may the bowels of Christ cement the union, or words nearly such, and did not our brethren appear to rejoice? [Mr. Wylie said he could have shed tears of joy on the occasion.] All the facts were admitted by M'Leod, Messrs. Wylie and Black, only that M'Leod quibbled a little upon the term *confidence*, and denied using the phrase, may the bowels of Christ cement us, but admitted he may have used words to that effect. Dr. M'Leod perceiving himself involved, appeared to wish to

smooth the matter, and to insinuate that this was merely a personal accommodation; that there was a difference between a cordial confidential reconciliation, and an external accommodation; that he intended only the latter, and chiefly what was personal, &c. To this Mr. G. replied, he had acknowledged the facts, it remained for him (Mr. G.) to make a proper use of them. That either he was sincere or he dissembled. If he was sincere, it gave the lie to what he had now sworn; if he dissembled, it was a deep and aggravated dissimulation.

Q. Why did you not then mention these grievances?

A. Mr. G's case has cost me many tears and prayers; I loved him and admired his talents, and laid up these things in my mind.

Q. Did I not converse with you before my restoration, and ask your advice about remaining three years a teacher to pay my debts, and did you not oppose it?

A. I remember something of a conversation of this kind, but will not be certain of the language used.

Q. Did not you, I may say all the ministers present, hear me say with much earnestness, before the Presbytery of 1809, that unless my brethren could restore me to their confidence, I did not wish to be restored to the ministry?—This question produced some embarrassment, but was at last admitted.

Q. Did I ever tell you I preached on the spur of the moment?

A. It was upon information by others.

Q. Can you recollect any particular instance in which I refused to converse on practical subjects?—The witness could not recollect. I often wished to converse in this way, but did not wish to urge the conversation.

Q. In the conversation in which you represent me as charging myself with being a fictitious character, did I not state to you, your distance compelled me to adopt a polite demeanor to support my dignity, and that coldness, of which you complained, was not natural to me.

A. I do not recollect all the conversation, but it is probable some such conversations might have happened.

Q. Was not the conversation to which you allude, on the morning of the last day of the Synod, in May last?

A. I believe it was.

Q. Was the payment of my debts a condition in my restoration?

A. I believe the Presbytery thought you would pay your debts.—Here the witness, unsolicited, contrived to foist in a fabricated story of a debt, for which he understood Mr. G. had been almost arrested, during his sitting in a Presbytery, which M'Leod phrased a debt of honor, (by which Mr. G. supposed he meant a gambling debt) how a gentleman had paid it for him, &c.

Q. Did you acquaint Mr. Thornton that you designed to make use of his name against Mr. G.

A. Would not say he did.

Q. Did you ever ask Mr. G. for an explanation of those parts of his conduct which gave you offence?—The witness now appeared to have gotten upon his guard, and would not come directly to any question afterwards put. The amount of the answer to this question was, he had not, and his reason was, he had despaired of Mr. Graham's usefulness in the church.

Q. Did you not know that I taught evening classes generally during my stay in New-York, in particular that I taught the Hebrew upon the evenings of the religious societies?—After some shifting, the question was answered in the affirmative.

Q. Have you the letter which Mr. G. wrote to the Presbytery of the North, to which you make your allusion?—A. No.

Q. Will you positively say that I used the word *jealousy*, in speaking of the motives of the Irish Presbytery?

A. It might not be exactly that word, but it impressed my mind so. [Upon this Mr. G. observed, there is no word will express the passion jealousy, but the term jealousy itself.]

Q. Was not Mr. G. in an eligible situation when he was restored?—A. His situation was precarious.

During the latter part of the cross-examination, Dr. McLeod affected not to understand Mr. G's questions, explained, lectured, and narrated to a great length, and, regardless of the question put, went off to ill-natured reports and invidious allusions. Questions were asked respecting the charges of hypocrisy, want of piety, &c. to which no satisfactory answer could be obtained. He concluded by challenging Mr. G. the examiner, to "proceed and ask him more!"

So soon as the evidence on the part of the court was finished, Mr. McLeod offered a number of observations upon the relevancy of the charges, alleging that, if it would appear the charges were proven, they would infer the censures of the church. He proceeded to paint the charges in exceedingly dark colors, and concluded by moving their relevancy.

Mr. Wylie proceeded to sum up the evidence. He dwelt largely upon the several articles, but especially on those, which, although least proved, seemed to imply the greatest guilt. He admitted, "Becket's evidence was inconclusive." Alleged if the first charge were proven, Mr. G. stood chargeable with all the old charges. He proceeded to read the several letters over with much aggravation and distortion, but not before he had read to the court a passage from the Associate Reformed Testimony on Proof, see page 520. He dwelt much upon the protest, asserted Mr. G. had submitted to the suspension, justified the conduct of the court, and pronounced Mr. G. a *madman fit for Bedlam*. He accounted for Mr. G's admission among them, from his *imposing* address, his *distress*, and *their want of suspicion*,

and asserted they could *shed tears of blood for what they had done*. He was extremely verbose on that part of the evidence which belonged to Mr. McLeod, using the expression very frequently, "now if Dr. McLeod be not a perjured villain, such a thing is so." He frequently appealed to heaven for his motives, and in justification of his own conduct, and appeared to feel much hurt, at finding their measures had become unpopular. He discovered much passion and interest, and what may indeed surprise no little, he never once adverted to a fact or circumstance calculated to favor Mr. Graham. No counsellor perhaps ever took a more active or decided interest against a defendant. He dwelt with much satisfaction on the Irish business, and was no little pathetic on the profane words, which, in the *pretended* letter of Dustan, Mr. G. was represented as using. Instead of bringing the charge and the evidence together, and shewing the perspicuity and force of the evidence, his mode of reasoning was, "if the matter be so and so, I will not positively say," &c. During the trial thus far, the court scarcely ever discovered a disposition to conduct the prosecution with either order or justice. They presented uniformly a hostile front to Mr. Graham. He was never listened to in objecting to any thing as illegal, although it was his undoubted right. When he would have suggested any thing to the court explanatory or remonstrative, he was put to silence, with marks of indignation and aversion. Every thing he attempted to urge in support of his views of the prosecution, or to aid in it, was perverted and misrepresented in the minutes; and when he objected, he was either answered by silence or a command to order. Others complained of the manner in which the minutes represented their conduct, as a serious grievance, but could obtain no redress. Several persons were implicated and exposed designedly, in the course of acquiring evidence, merely because they were known to have been friendly to Mr. G. It was a subject of general remark, that nothing favorable to Mr. G. was inserted in the records of the court; and it was no less flagrant, that while the most uncommon exertions had been used to procure materials for the prosecution against Mr. G. the members had studiously avoided to obtain or mention any circumstance which might have set any matter in a light favorable to him. Notwithstanding this, they brow-beat the people for insinuating that the court and Mr. G. were two parties, and precluded Mr. G. from the exercise of his rights as counsellor for himself; under the plausible pretext, that as an ecclesiastical judicatory, they must not be regarded in the light of a party.

This, my dear friend, closes the witness on the part of the court. Seven tedious sederunts were spent in accumulating the evidence which I have laid before you. Few, during this period, who witnessed their proceedings, who did not heartily despise and abhor them. Crouds of the most reputable, pious, and lite-

rary people of Pittsburgh and its vicinity attended. The matter had somehow produced unusual interest. It appeared to be the doings of the Almighty, upon a plan different from the ordinary establishment of things. Out of the thousands who attended, hardly any discovered satisfaction. The universal impression which the judicatory made upon the public mind, even before the commencement of Mr. G's defence, was, that his brethren were *envious and malicious persecutors*. In a word, their measures were conducted with so little order, and such manifest injustice, that they became an object of general and public execration. I know not, my friend, whether, after receiving the above faithful statement of facts, you will agree with some of the most discerning who witnessed the prosecution, that nothing meriting the name of proof has yet been adduced. And that, were it not that Mr. G's reputation had been so bandied about both in public and private by these gentlemen, it would have been a complete waste of time to have proposed any thing deserving the name of a defence. Mr. G. had, however, long wished for a favorable opportunity of endeavouring to dissipate the clouds with which his character had been enveloped. God had now given him such an opportunity. With what degree of success he embraced it, will appear in my next.

Yours, &c.

LETTER III.

Who does the best his circumstance allows,
Does well, acts nobly, angels could no more.—YOUNG.

MY DEAR FRIEND,

WE have left Mr. G's character groaning under an intolerable load of perverted facts, gross misrepresentations, groundless fabrications, and direct falsehoods. We have seen a court determined to accomplish his ruin, toiling in irrelevant evidence, partial statements, and disorderly procedure. Although nothing has been legally advanced to criminate Mr. G. yet we feel for our friend, and cannot help discovering a solicitude to see and hear something which may restore our good opinion, and rest our confidence in him upon its former basis. After all the filth

through which we have drudged, we are compelled to regard him, no otherwise impure, than as a clean well bred man, accidentally besmeared by tumbling in mud, or bespattered by a rude clown who gallops across him, on the way. We are now to contemplate Mr. G's struggles, in order to shake of the incumbrances imposed upon him by conspiring brethren. You will admit he labored under every disadvantage: proscribed by his brethren in Ireland; his reputation clouded from the first moment he seriously applied for admission to the reformed church; chargeable with rash steps which justified the criminations of his adversaries in some degree; pursued by his brethren in America, who it was supposable ought to have been best acquainted with him; a stranger—hunted by numberless reproaches; a culprit at the bar of a partial judicatory; a number of literary men, combining their talents to render him suspected and odious, professing the process against him to have originated in zeal for the glory of God, heaping censure upon him under pretended forms of law, laboring to undermine his reputation for veracity, and thereby depriving him of the last and only resource of an innocent and abused stranger; appealing to heaven, almost every moment against him; swearing him destitute of piety, mercenary and hypocritical, and presenting him to the public with a load of crimination, the work of years.—These were the disadvantageous circumstances in which our friend stood before the bar of the reformed church on the 16th of August last. In these circumstances he commenced his defence, which was first done by the calling upon a few witnesses; his solitary situation, as an abused, afflicted stranger, would not allow him to call upon many.

The court signified their wish to hear witnesses, if Mr. G. had any to produce.

Mr. Graham called upon Thomas Hazelton. The court refused to admit him as a witness, assigning as a reason that he had refused to act as a witness when called upon by the court. Mr. G. urged that the witness's proposal to make oath before the court, evidenced he had changed his mind; that upon mature reflection, however he might have been disgusted with the conduct of the court, he perhaps now concluded, upon the whole, for the sake of justice, it would be more his duty to submit to be qualified and depone. Mr. G. was ordered to silence, and informed, the witness should not be admitted. Mr. G. begged the court to consider what a disadvantage must result to him from the measure; that Mr. Hazelton had been his inseparable companion on the way to the Synod, that the principal stress of the defence he intended to make, rested upon him, that if they rejected his evidence they would for the same reason reject the evidence of Joseph Cooper and James Slater, who were in the

same predicament. He hoped, that even admitting the form of law might be in their favor, which he believed was not, they would not take an advantage of it, and preclude the possibility of making a perfect defence. The court became more preremptory in its tone, and decreed, that none of those persons should be permitted to be a witness.*

* This was an act of injustice so violent, that the court could not but calculate upon public odium in consequence of it. To repel this if possible, they had deliberated during the night, and on the next morning proposed and adopted, what they called *an amendment to the minute of yesterday*, which was introduced by Mr. McLeod, with a bombastical speech, contrasting civil and ecclesiastical law, inveighing against juries, referring in a very edifying manner to the *code de criminal* in the Edinburgh Review. Montes parturiunt.—Dear Doctor, why all this mighty fuss? You had committed an act of manifest injustice yesterday. You certainly did not mean that ecclesiastical law, or the usages of the church, were better adapted to tolerate injustice, than the laws of civil judicatories! Let us hear your amendment.

"An amendment offered by Mr. M'L. and agreed to, for refusing to admit Mr. Hazelton and Mr. Cooper as witnesses: These men viz. Hazelton and Cooper, when called by the court to give testimony, refused, and were accordingly guilty of contumacy. 2. There manner of refusal evidenced to the court that they were decided partizans against the court and in favor of the actused. 3. The fact of their refusal is a violation of the ninth precept of the moral law. 4. To take the oath of such men, under such circumstances, would on the part of the court, be a connivance with the sin of taking the name of God in vain."

Permit me, doctor, to inform you, your *first* reason is contrary to church law. You were not at liberty to pronounce them contumacious until you had called them three times, and they had refused to witness; see Stuart's collections, Book 4th, title 3, section 14. Viz. "If witnesses refuse after three citations to compeer, *then* they may be proceeded against as contumacious." Your *second* reason is predicated upon an invidious distinction, which when you found it to suit your purpose, you reprobated, viz. "against the court, and in favor of the accused." You had not many hours before corrected some of the witnesses for speaking in this way, and had told them in the spirited and sublime language of metaphysics, that the suit was between Mr. Graham and a *fama clamosa*, and not between the court and Mr. G. Besides you charge these gentlemen with a *manner* so culpable, as to render it sinful to take their depositions, and yet you have not told what the manner was. No doubt, sir, you meant their motives. This was the best subterfuge you could adopt. The instant you take refuge in the heart of others, your opponent loses you. This mode of stating a reason, has all the virtue of rubbing a magical ring; it renders you invisible. Your *third* reason, sir, requires to be qualified. It is not every refusal to be a witness, which amounts to a breach of the ninth commandment. You can teach otherwise when you choose. You ought to have made it clear to those persons that it was their duty to be witnesses. You did not. You only revealed the arm of power. That did not convince them. But after time to reflect they came to conclude it was their duty, and not to perform it would be a "violation of the ninth precept of the moral law." Now when they have acquired clearness, you will not permit them to do their duty. Your reason recoils upon yourselves. You refuse to admit them to obey the moral law. It is you, sir, it is your court, who have violated the ninth precept of the moral law. Your *fourth* reason is only an inference. Had you established your precept it would have been a *conclusion*, but not a *reason*. Your premises are false. These men were not contumacious, I challenge you to prove it. These men were not parti-

Mr. Graham, aware that the depositions of Messrs. Hazelton and Cooper, would be indispensably necessary to his defence, and that the court had rejected them with a deliberate intention to injure him, requested those gentlemen to repair to a magistrate, and make their depositions. They did so, and returned with evidence legally deposed, which Mr. G. presented to the court. They refused to accept of it, alleging that the oath had been *intemperately made*, that they were *sinfully partial* to Mr. G. that as they supposed, they *and he were embarked on the same bottom*; and that to receive their depositions "would be a connivance at the sin of taking the name of the Lord in vain." How easy those gentlemen could find occasion to cast *these* witnesses, men of character and of approved piety! Compare their conduct in this instance, with their receiving the deposition of Oliver Becket, and admitting Mr. Wylie to depone after flagrant presumptions of malice, enmity and falsehood, clearly proven. These gentlemen *ought* to have been rejected, and it is not improbable, the admitting them to swear was "a connivance at taking the name of God in vain," at least it was in direct opposition to the laws of the church. But here were men of generally approved character, against whom no presumptions of malice were alleged. Yes; but they were passionate and obstinate: aye, there's the rub.—Admitting this, what had it to do with receiving the depositions which had been made legally elsewhere? was it not enough to pacify the tender consciences of the court, that they refused to qualify them; must they also reject the depositions? Believe me, gentlemen, neither your tenderness of conscience, nor the alleged intemperateness of the witnesses, will screen you from a charge of one of the most impudent and impious acts of injustice ever attempted before a civilized public.

After some alterations, it was admitted, "Mr. G. might make whatever use he chose of the depositions on his defence, but they could not be entered on their records."

The depositions are as follow.—Thomas Hazelton deposeth in these words.

"When I first heard of Mr. Graham's arrival in this country, I wrote immediately to the Rev. Mr. Wylie for a statement of Mr. G's affairs. I received an answer shortly after, stating that he understood that Mr. Graham had been by some misfortune involved in debt in Ireland, and in consequence thereof, in a precipitate manner left his congregation and went to London, where he had presented a false certificate to some ministers, for which he understood the Irish Presbytery had deposed him from the office of

zans; I challenge you to prove it. These men had not violated the moral law by refusing evidence. The court was still sitting, the case pending, and the discussion open. Your reasons are as fallacious as your intentions were impure, in rejecting the witnesses.

the ministry. But he thought that the embarrassed state of Mr. G's affairs would mitigate what criminality was attached to Mr. G's conduct; that he had favorable impressions of Mr. G. inasmuch as he refused, although solicited by a number of people in New-York to commence an independent preacher, and rather chose to refer his case to the Reformed Presbytery in this country. In the May of 1809, I understood that Mr. G's case was to be tried in Philadelphia, at which time I went down with Mr. Black. Before I saw Mr. G. I enquired at Mr. Wylie, personally, respecting Mr. G's affairs. He gave me to understand, that, from all the documents he ever saw on the case, there could be very little blame attached to Mr. G's character; but for the sake of recognising the deeds of the Irish Presbytery, they must enter a process against him—and at the same time said he never saw a man he felt more interest in than Mr. G.

Mr. G. delivered a discourse, and afterwards the members repaired to Mr. Wylie's house, and resumed the consideration of Mr. G's case. The impressions which I received from the court was, that the embarrassed circumstances under which he labored in Ireland and in London, were calculated to drive any man into desperate acts. I recollect one remark made by Mr. W. to this amount, "that if he had been placed in Mr. G's case, he thought he would have done worse." Mr. Black also said that Mr. G's resigning, or proposing to give up his present lucrative employment, with the explanations given by Mr. G. was sufficient to satisfy him with respect to the upright intentions of Mr. G. However, it was agreed by the court, that Mr. G. should be rebuked for his elopement from his congregation; for presenting a false certificate to certain London ministers, with a weakness which appeared in his contracts of a pecuniary nature. Mr. G. submitted, and was rebuked, and absolved from all scandal attaching to his former conduct. Some of the members wished his immediate restoration to the office of the ministry. Mr. G. *objected thereto himself*. Others of the members said that it would not look well in the eyes of the world; that an immediate restoration would be calculated to give them an idea that we were so anxious to obtain a man of parts, that we would go over all bounds, and that it would be better calculated to establish Mr. G's character; that we* should defer it until some time in August.—After I heard of Mr. G's restoration, I was introduced to the hearing a letter read by Mr. Black from Mr. M'Leod, wherein there were a number of dark insinuations, which were calculated to impress my mind, that Mr. G's preaching was rather for popularity than edifying to the godly. From the confidence I had put in Mr. M'Leod's veracity, I began to be prejudiced against Mr. G. About January, 1810, I received

* Mr. Hazelton was a member of court in Philadelphia, 1809.

a letter from Mr. G. in which he hinted at some things that appeared in Mr. M'L's conduct, and conceived himself very ill treated by him and some of the elders. Another letter appeared from Mr. M'Leod, which was read in the hearing of Mr. Gormly and myself, by Mr. Black, wherein Mr. G. was represented as changing his mind with respect to his place of settlement; that he made application for being taken under the jurisdiction of the Northern Presbytery, and that the Head of the Church would *discover the man one day*. When Mr. Riley came to Greensburgh, the first Sabbath day he was there, I understood Mr. Black was preaching in Greensburgh, and saw Mr. Riley. I called on Mr. Black when he came home, to enquire about Mr. G. I was told by him that Mr. Riley informed him, that there was something wanting in Mr. G's preaching, notwithstanding his flowery preaching, which could be found in Mr. Williams, notwithstanding of his weakness; and in short Thomas, said Mr. B. *we are not able to put a name on it*. When some of the Canonsburgh congregation was moving for a moderation of a call for Mr. Riley, I was in conversation with Mr. Black respecting the Canonsburgh congregation having a suitable minister. I reasoned with him to endeavor to prevent a moderation, until Mr. Graham would visit them, as we did not know what Providence may do in this case. Said Mr. B. Mr. G. will not suit the people of this country, for no place will answer him but frippering through a city. After Mr. G's arrival in Pittsburgh, I was prejudiced against him, until I heard Mr. G. preaching the first Sabbath; I then began to think that we must have been deceived, and found a general murmur in about two or three weeks after, among the people on whom such previous impressions were made.

Thomas Hazelton further deposeth, respecting the transactions after Mr. G. went on to Synod in May last—When we arrived in New-York, Mr. Graham and I called on Mr. M'Leod. He asked me up stairs, where he began to enquire at me respecting our disturbance in the west. I gave him a statement of the affair. He asked me if I thought it possible that Mr. Black and Mr. G. could live good neighbors in the west. I answered I knew nothing to prevent it in Mr. G. that I knew he wished to be friendly with Mr. B. He said he did not understand Mr. G. well, he did not like to see one of his brethren calling on him in the way of a polite visit, and no further friendship appearing than would exist among strangers. I answered, that in existing circumstances, nothing else could be expected; for before Mr. G. came to the western country, there was letters circulated that were calculated to prejudice the minds of the people against him: and since Mr. Black returned from the south, he was in the habit of informing numbers, that there was certain charges to be preferred against Mr. G. at this Synod, for which he would be deposed. Mr. M'L. said that he knew nothing of these impro-

prieties, but said if he could be persuaded that Mr. G. was attached to the reformation cause, all these reports from Ireland, or any thing he had said or wrote about Mr. G. would signify nothing, and began to interrogate me upon the footing of my acquaintance with Mr. G. if I thought he was attached to the cause of the Redeemer. I answered that, as far as I knew him, I was persuaded he was; and, as an evidence thereof, I believed that the most pious and firm covenanters in the western country were firmly attached to Mr. G. Here Mr. M'L. began to inveigh against Mr. G. and said that he feared, after he gained some more influence, he might set up his standard one day beside their standard, and make a party—and said, if this was the true state of the case, it was better for them *to cut him off at once*, and then began to tell me the Irish debts were not paid. I said it was true, but if men were to be brought to the bar for being in debt, I thought there were few of the ministers would stand clear. He then said that Mr. G. had obtained money to the amount of \$500 from my brother in Baltimore. I told him it was false, like a great many other things that was circulated in the western country, and gave him a relation of those things, at which he declared he received a great deal of satisfaction from our interview. The Synod met to transact business on Thursday the 16th May. The moderator and clerk was chosen, the names of the members enrolled and read, when Mr. G. rose and begged leave of the moderator to ask if his name was not to be enrolled with the members of this court; he said it was a delicate situation he was placed in; that he was obliged to introduce himself, the business which properly belonged to some of his brethren; also said he would not have urged it so instantly, if his suspicions had not been roused respecting a disposition in his brethren to degrade him. The court ordered the clerk to read the minutes relative to Mr. G's restoration, and afterwards a letter they had received from the Irish Presbytery. Mr. G. still insisted that he should, as a co-presbyter, have been introduced to a seat in Synod, and urged the necessity of it; that if they were going to prefer any charges against him, that he should not be found in a degraded situation before they entered a process, and Mr. G. began to shew the court that they were acting very inconsistently in taking up old charges which they had decided on before, and that he would pledge himself, his office, character, and all that was dear to him, that there were falsehoods stated in that Irish letter, and made some criticisms on the conduct of the Irish Presbytery towards him, and particularly on Mr. Stavely, who he said pursued him from the time he had preached in the bounds of a congregation which was designed for his son. The moderator interrupted Mr. G. and said he must not insult the court. One thing in particular was in the Irish letter, that the Covenanters in Ireland had paid the debts Mr. G. was due Seceders, before the Irish

Presbytery received him, which Mr. G. denied, and declared it false; that he had received from two congregations to the amount of five guineas of extra money; but that instead of paying his debts they had involved him afresh, in depriving him of an opportunity of preaching the gospel, and in consequence thereof, was obliged to sell his books. Mr. G. farther said, it was impossible to know upon what ground he was to stand in this court.—Mr. McLeod held a paper in his hand, and addressed the moderator by saying, that if he was to allow Mr. G. to speak in this manner, they would get no business done, and began to read what he moved as an opinion which the Synod might express on the case, and accordingly they proceeded to adopt what was in that paper as their opinion, in which opinion Mr. G. was not to have a seat in that Synod, and the Middle Presbytery was to take up his business with all possible speed.

Thomas Hazelton further depones—That he called in Mr. Sargeant's, bookseller, New-York, with whom I understood Mr. G. had a running account. Mr. G. asked Mr. S. in my presence, if he had been uneasy about the money he was due him, or if the advertisement which Baehr had inserted in one of the New-York papers, made any impression on his mind respecting Mr. G's integrity. No, said Mr. S. your character is too well known in New-York for such a passionate man as Baehr to injure you. No, sir, I had not the least uneasiness, for if you were to write to me from any part of the United States for fifty or one hundred dollars worth of books without the money, you should have them cheerfully.

Mr. Cooper, Mr. G. and myself called at Mr. Thornton's in New-York. We drank tea with him. I mentioned to Mr. Thornton that Mr. McLeod had told me that you (Mr. T.) were the man that informed him that Mr. G. endeavored to become an Independent preacher on his arrival. He said, surely Mr. M'L. was misinformed; for, said he, I was one of the men who insisted on Mr. G. to become an Independent, but he refused. Mr. T. said he then began to enquire for a tuition, &c. He also said, that if Mr. G. had staid in New-York as a teacher, that he was satisfied, by information even from one of the men (I do not recollect his name) who joined the persecution with Murray, that they would have continued their support, and Mr. G. might have had a school at this time which would bring him three thousand dollars annually, for there was never a teacher in New-York as much esteemed while he continued in that character, and would yet succeed, if he would come to the city. Mr. Cooper also enquired of Mr. T. respecting the Magazine-street church—he stated it as correct. Mr. Cooper also received the same information, in my presence, from one of Mr. M'L's own hearers (Mr. Ratcliffe and his wife) that there were two men sent to treat with Mr. G. about taking charge of that congregation, and that the offer they made

Mr. G. was 600*l.* a year, and 600*l.* of a present the first sermon he would preach. Mr. Thornton also told, in my presence, that Mr. M'L. and his congregation had treated Mr. G. very bad; and said to Mr. G. it is very little pity of you, I warned you enough about having any connexion with them in this country; for, said he, the family connexion that exists between M'Leod and old Stavely is the cause of all this affair; and, said he, while you continue among them *his persecuting spirit will follow you.*"

THOMAS HAZELTON.

Sworn and subscribed before me the 15th day of August, 1811.

L. STEWART.

Joseph Cooper deposeth—"That the Synod refused to let Mr. Graham have a seat; the Synod read a parcel of things against Mr. G's character, and would not suffer him to speak in vindication of it. Mr. Hazelton moved, and was seconded, that the clerk of the Synod be appointed to furnish Mr. G. with extracts from the minutes, concerning the things about which he was to be tried, and to be given to him before his trial; accordingly Mr. Black was appointed to have them ready for him. The Presbytery meets in Philadelphia after the Synod. Mr. Hazelton moved that the extracts be given to Mr. G. according to the appointment of Synod. Mr. Black said they were not ready. Mr. G. insisted to have them, and told the court that he would give him another day or two to have them ready. Mr. Black answered and said, he would not get them until every other body would get them—that is, when they are printed. The Presbytery proceeded to suspend Mr. G. from the exercise of his office, and Mr. G. protested against their proceedings, in his own name, and in the name of all his adherents, and told them to enter his protest on the minutes; and Mr. Hazelton protested, and told them to enter his protest on the minutes also. The Presbytery refuses to try Mr. G. and he labors, but to no purpose, for a trial. Becket was asked on his oath by Mr. G. if he swindled him out of two guineas? He answered and said, "*I do not say that you did, neither do I think that you are capable of doing it.*" Mr. G. asked Becket on his oath, if he made use of his name to Mrs. Martin, in order to get two guineas from her? He answered and said, "*I do not say it, neither do I think that you did.*" Mr. Wylie told Becket that he could swear to the best of his knowledge, and Mr. G. charged Mr. W. with putting words in the mouth of the witness. Mr. Wylie refuses to take down Becket's cross-examination, and told Mr. G. "if he seen any thing that answered him, he might take it down for himself." The Presbytery wished to have Mr. G's clerk removed."

JOSEPH COOPER.

Sworn and subscribed before me the 15th day of August, 1811.

L. STEWART.

James Gormly called and sworn, deposeth—That he heard a great many reports relating to Mr. G. particularly the taylor's business of New-York, and of a pair of boots; and it was from a member of the court. (Here the court interfered, and told the witness he must not say any thing to implicate a member of court.)* Questions by Mr. Graham. Q. Were you enjoined not to reveal these reports by that member of court? A. I was, and I did keep it quiet until I went into a store; when a man mentioned these things, asking me if I heard them. Q. Did you understand, that man had received them from the same member of court? I understood so. Q. Do you know any thing of papers being read publicly before the congregation, which were injurious to my character? A. Yes, I heard them read in this house in the face of the congregation, and it was Mr. Black (I may name him now.) Q. Did he explain and make comments upon them to give them a more black appearance? Yes. Q. Did this

* Mr. G. suspected the *fama clamosa* to have originated with his brethren. He believed them the chief propagators of the scandal alleged against him. His object in the questions put to the witnesses, was to have those suspicions established by legal proof. It was customary with the court when the witnesses were interrogated upon any subject, where they were conscious a direct answer would reflect upon their conduct, to interrupt the witnesses by saying, "you must not implicate a member of the court." These gentlemen in the dignified character of a court of Christ, had sworn the witnesses, as they were to be accountable to Almighty God, to tell *the truth, the whole truth*, and in some instances explained to the witnesses, that "*though it was to implicate the wife of their bosoms*," they must tell the truth; yet these very men had the hardihood in numberless instances, and while the above observations were glowing upon the minds of the witnesses, to prevent them from discharging their oath. Their pretext, "lest they should implicate the court" was *sophistical*. To legally implicate a member of the court was one thing, to make use of his name in giving a narrative of *the whole truth*, was another. The former was not immediately the object of the witness, the latter he had just obligated himself upon oath to perform. The assertion that the witness must not inculpate a member of court is predicated upon a principle which is false. It proceeds upon a supposition that members of an ecclesiastical court cannot be objected to legally, however much a party who appears at their bar, may have been aggrieved by them, or whatever may be their enmity, malice or partial disposition towards him. It is a supposition which conducts to absolute despotism. It compels the party to prostrate his conscience and character at the feet of a judicatory. It demonstrates, with the force of a volume of logical deductions, that the radical principles upon which the Reformed Presbytery conduct the government of the church are tyrannical. But even admitting the justness of the assertion "that witnesses may not inculpate members of the court," it would not apply to this judicatory. They had voluntarily degraded themselves to the situation of witnesses. As such they laid themselves open to the attack of the defendant. If he could justly inculpate them, it was both his duty and his interest, to invalidate their evidence against him. It was their duty to submit to it, in order to do him justice. The objection made to the witnesses, indicated the situation of the court relative to the prosecution, to have been desperate. They were conscious that the reports pernicious to Mr. Graham had been industriously propagated by themselves; and they had recourse to this unjust expedient, to screen themselves from merited censure.

member of court carry papers about and explain them in order to defame Mr. G's character? Yes, I heard him read and explain several papers after the Synod, and defend the character of Becket.—James Gormly further deponed; that he had heard, by a flying report, that Mr. G. had got 300 dollars in Pittsburgh, and 300 from Robert Finney; that he heard some of the members of the court before the Synod make a jest and table talk of Mr. Graham; heard before the Synod from a member of court M. G. would be silenced; that Mr. Hazelton would soon be back in town again, for he would not do, wanting preaching; he knew of no means which Mr. G. ever used to alienate the minds of the people from Mr. Black, although he had sat with him several weeks in a religious society, when he drew his (Jas. Gormly's) affections by his good behaviour; but there were two parties in Pittsburgh ever since there was a minister among them; (here M'Leod wished to stop the examination of the witness, who went on,) that he never knew of any improper means used by Mr. G. to make a party; that those who are called Mr. G's party did not appear to wish to make a breach in the congregation, but lamented it; that he never heard Mr. G. say any thing against the Irish Presbytery; that he never seen any thing about Mr. Graham, but what was very becoming &c. &c.

Samuel Wylie called, says he knows of no money being given by the congregation of Canonsburgh to Mr. G. either by gift, or as advance stipend.

Robert Finney was called by the court and sworn, deponeth in answer to questions put to him by the court, that Messrs. Hazelton and Cooper borrowed 200 dollars of him, but he was not certain to what purpose; that he was in Philadelphia in the month of April last, and had a conversation with Mr. Wylie, who told him (R. Finney) that Mr. Graham had not engaged to go to Baltimore; that he never knew of any thing to Mr. G. but what was exemplary. [Here Mr. G. put certain questions to the witness which the court would not permit him to answer.]

Deposition of S. Engles.

Being called on to state any circumstances I may know relative to the moral character of Oliver M. Becket, I am induced, by a regard for truth, and in complianee with the wishes of those who have requested the information, to observe:

That about 5 or 6 months ago, whilst I was employed in the office of the collector for the Port of Philadelphia, Oliver M. Becket, personally unknown to me, had imported some molasses, the duty on which did not amount to \$50, the sum necessary to obtain credit on a bond; and that to secure the duties agreeable to the regulations of the office, he deposited his check on one of the banks, for the probable amount of said duties, until the molasses should be gauged. That, either on the same or following

day, the check was presented at bank, and refused; either because Mr. Becket had no money in the bank, or because he had never kept an account there. Which of those reasons was assigned, I do not correctly remember. The officer having charge of the vessel in which the molasses was imported, was directed not to land it; but the landing had taken place immediately after the check was given. The molasses was sold, and then in the store of the purchaser, where it was seized by the Surveyor of the Port, and marked for the use of the U. S. but was afterwards released to Mr. Becket or the person who purchased from him, on the duties being paid. Though a merchant may sometimes overdraw a bank without any improper motive, yet the circumstances under which Mr. Becket's transaction took place, operated very powerfully on the minds of those employed in the Custom-House, against the rectitude of his intentions.

S. ENGLIS.

Sworn and subscribed before me the 14th day of Aug. 1811.

L. STEWART.

John Stevenson was called and sworn. He deposed—That in a conversation with a member of the court, (Mr. Wylie) before Mr. Graham was restored. He (Mr. W.) informed him, Mr. G. would be exculpated from several of the charges alleged against him; that on being asked what would be the consequence should the Irish Presbytery neglect to send on the papers. He (Mr. W.) observed, we (meaning the Presbytery) were not to be imposed on; that should documents not appear, they would act without them; that the Irish Presbytery had always acted with indifference towards them. *Questions by Mr. Graham*—Q. Did you ever hear it affirmed of me, I would turn out a SHIELDS, and quit the principles of the Reformed Church? A. I did. It was from Samuel M'Leod, who said he was informed so by those that ought to know. He (S. M'Leod) was told at the same time, that Mr. G. had transgressed, and would undoubtedly transgress again, and that he was told so by a minister, who is now a member of this court, (Mr. Wylie). *Question by Mr. Wylie*. Did Mr. M'Leod tell you I told him so? A. He said he received those impressions from a conversation he had with you. *Question by Mr. Graham*. At what time did Samuel M'Leod say he perceived a change in Mr. Wylie's conversation towards me? A. After a visit from a reverend brother (M'Leod) from New-York. Q. About what time was that? A. About the middle of last winter—After that he observed an entire change. Q. Did you ever hear any thing of the treatment I met with in New-York? A. Yes. [The court interfered.] Mr. Graham begged permission of the court to hear the witness. The witness proceeded thus: I heard that Mr. G. was a popular preacher, and that it had injured him; that Mr. G. had supplied in Dr. M'Leod's

congregation; that Mr. Agnew, his (M'L's) father-in-law, had written for him; that he had returned before half the time proposed, and appeared much incensed upon his return. Here the witness was interrupted, and asked by Mr. M'Leod—From whom did you hear this? A. From a woman, who came from New-York, whose name is Mrs. Prescott; I likewise heard it from several members of the congregation in Philadelphia, and the report was general, and to this amount: That he (Mr. G.) had preached in the church in New-York to the satisfaction of the people, and that from the return of the pastor, hints were thrown out from the pulpit, intimating all was not right, and that it was the cause of much injury to Mr. G. *Question by Dr M'Leod*—Did you ever converse with Mr. G. on this subject? A. I may have conversed about it when he was present, but do not recollect that he made any remarks. Q. Do you know of any divisive measures prosecuted by Mr. G.? A. No. Q. Do you know any thing of Oliver Becket? A. Yes, a little. *Mr. Graham*—Please to relate what you know. Witness proceeded:—I had but a slight acquaintance with Becket. He called at my house in Philadelphia, and told me had been in partnership with Thomas M'Nair, of Colerain, a relation of my wife, which I have learned was a falsehood. I was advised by Mr. Wylie to have no connexion with Becket. I was told he had left Ireland with goods to a great amount, for which, since he arrived in Philadelphia, he had been put in jail. I have learned from a letter which I received some time ago, that he has lately been put into jail, for large sums of money with which he had absconded, and was arrested in Baltimore. Here the witness produced the letter, dated July 2, 1811, from Philadelphia, and subscribed *Martha Smith*. The part which concerned Becket is thus:—"It will be news to you that your friend Becket is laid up secure enough. He fled from the city with vast sums, as we are informed, and the pursuit overtook him in Baltimore, and brought him back; and he is in prison here, and I know not what will be the consequence." [This Mr. Wylie admitted to be fact.] Q. Do you know any thing of Andrew Jamison, who has witnessed in support of the libel? A. I understood Jamison had absconded from his employer, but am not perfectly acquainted with the circumstances. Here Mr. Wylie explained. He said, a girl had asserted she was pregnant to Jamison; that she was an indifferent character; that it appeared she only wanted money; that she proposed to take \$25 from him (Jamison) and be satisfied; he was advised to lay aside his privileges for some time; but was restored to privilege after an investigation of his case, before the last dispensation of the Lord's Supper* in his (Wylie's) congregation.†

* Observe, the Lord's Supper was dispensed in May last, about the time in which Wylie was displaying much ardor and alacrity in hunting up charges.

Questions resumed by Mr. Graham.—Did you hear a member of the court (Mr. Black) read papers of a defamatory nature respecting me? A. Yes, I did hear Mr. Black read papers of that kind, at his own house. Q. Did he use any illustrations or comments upon the papers, or attempt to defend the character of any of the witnesses? A. Yes, he explained, and attempted to defend the character of Becket, and wished to insinuate that it was dangerous to make free with his (Becket's) character? Q. Have you known any thing immoral about Mr. G.? A. I never did, but the reverse.

The clerk of the court (Mr. Wylie) had uniformly neglected to record any thing favorable to Mr. G. He had not recorded a single syllable of any of the depositions which appeared in his favor. Mr. G. after the depositions were finished, asked of the court a reason for such extraordinary conduct. No reason would be assigned. Mr. G. observed, "their records, since the commencement of the prosecution in May last, had uniformly injured him, and that their recent omission was in unison with what went before."

I have now, my dear friend, given you a brief digest of the evidence, adduced from living witnesses, which may be regarded favorable to Mr. Graham. I will not call it exculpatory, for no legal evidence has yet appeared to inculpate; but it happily bears upon the case as explanatory, and is calculated to place perverted facts and sayings, in their proper light. It restores to disfigured incidents their true aspect. It darts a cheering ray through the darkness in which Mr. G's brethren had enveloped him, and enables us once more to recognise our much injured friend. We have followed him with feelings tremblingly alive for his reputation and usefulness, and have seen him overwhelmed with reproach: we now begin to contemplate him emerging. We have traced him to his last effort before the judicatories of that church, to shake off the incumbrances of calumny. His defence I shall communicate in my next.

Yours, &c.

against Mr. G. Wylie had pledged himself to prove the libel. He stood in need of Jamison's aid.

† Jamison's case was investigated before Mr. Wylie and his session, and dismissed with despatch. Was it that Jamison might glorify the Redeemer in the communion of the supper? Or, was it that he might co-operate with Wylie, in accomplishing the ruin of Mr. Graham? O Priestcraft, thou art a bitter draught!

 LETTER IV.

 MR. GRAHAM'S DEFENCE.

To proceed then to the articles on which I am accused. These are many and grievous ; some of that kind against which the laws denounce severe, nay, the utmost punishments. But the whole scheme of this prosecution discovers all the rancour of enmity, all the extravagance, and virulence, and insolence of malice, which is neither right, nor constitutional, nor just.

LELAND'S DEMOSTHENES.

MY DEAR FRIEND,

I NOW proceed to Mr. Graham's Defence. I have no hope of rendering it so interesting as it was when delivered by himself. The interest which the matter excited, the ardor of the speaker, and the inexpressible aptitude of numberless minute circumstances, pendent on the moment, I will not pretend to convey. Your imagination will help to supply the deficiency. If you paint to yourself a number of individuals sitting in judgment, affecting to act for God, having toiled near four days among reports to accomplish the degradation of one of their brethren ; thousands of respectable spectators, who had witnessed this, filled with indignation at the glaring injustice of the scene, and impatient to hear the defendant ; the defendant himself, stimulated on the one hand by a long series of oppression—on the other, attracted by the attention of an impartial public, relying, under God, upon the firmness of his cause, proceeding to a detail of facts, urged with interest ; unceasingly appealing for the correctness of his observations, to the members of the court, the auditory, the church, the world ;—paint this, and you may have an idea of those circumstances which conferred a degree of interest upon this part of the scene, which I should in vain attempt to communicate by the most accurate expression of Mr. Graham's language or ideas. I am convinced you, my friend, are too well acquainted with the difference between what is spoken and what is written, and the disadvantages of the latter, not to make every allowance.

The court having, on the afternoon of the 16th, signified their permission that Mr. Graham should offer his defence, Mr. G. proceeded.

REVEREND MODERATOR,

I am happy in being permitted at length to make some reply to the reports and surmises (for facts there are none) which are accumulated on your table in the form of testimony. It is not because I conceive a defence necessary, from legal proof, for certainly nothing deserving that name lies before you; but from a conviction that it is my duty to endeavor to dissipate the clouds of calumny which have been industriously collected, that I should think of occupying the attention of the court for a moment. A simple detail of facts, with a few explanatory remarks, will constitute the chief part of my defence. In entering upon it, I cannot help observing the inconveniencies under which I labor, owing to the confused method which has been pursued in the prosecution. I had reasonably enough expected, the investigation would have been confined to the libel; that nothing which was not specified there, would have appeared in judgment; but to my astonishment, no less than to my disadvantage, the libel was soon dismissed, to make way for the introduction of old charges, which had long since received merited attention, and had been dismissed, and of new reports, under the notion of a *fama clamorosa*. Instead, therefore, of confining my reply to the libel, I find myself compelled to pursue the involved windings of my prosecutors. They have dwelt with a never-ending and invidious satisfaction, upon the documents from Ireland. Those who have witnessed the prosecution, perhaps, are not all aware, that the whole of the Irish affairs was discussed, first in Ireland in 1802, and in America in 1809; and that after bestowing censure, I was admitted to re-occupy the office of the ministry. The stress which has been laid upon these documents, is calculated to pervert and mislead the judgment, and to impress a conviction, that they never before were a subject of investigation; at least, that they had not been decided. You will permit me, Sir, to direct the attention of the court to these documents for a moment.

[Here Mr. G. read the Irish documents from the printed extracts, pages 5, 6, 7.]

Here, Sir, I am charged with "absenting myself from my congregation (in Ireland, A. D. 1807) for a number of months, without assigning reasons for my conduct." This, moderator, I admit. In the month of December, 1807, I quitted my congregation, and without presbyterial leave, I quitted my country. This, Sir, was my crime. I acknowledge it. I trust I shall exercise penitence for it. But it is a crime for which I have long since suffered the censures of the church, and ought not to have appeared in this court against me. Besides, the criminality at-

tached to this rash step will, I humbly presume, be greatly extenuated by attending to the circumstances which led to it. I declare most solemnly to you, Sir, what never has, what never can be contradicted, that I found myself compelled to this unjustifiable measure by the *virulence of party*, not political, but religious; which stands confessed, the most bitter and overwhelming source of human calamity.

I have only here to detail facts, for the truth of which I appeal to hundreds in the communion of the church in Ireland. I had been educated and licensed in the Secession church. In the year 1804, I purposed leaving it, and connecting myself with the Irish Presbytery which calls itself Reformed, chiefly on account of a doctrine relative to the extent of the Mediatorial Dominion, which was at that time in dispute. Having it in contemplation to make application to the Reformed Church, and being young and inexperienced, I availed myself of the counsels of Mr. Stavely, senior. He was the oldest member of that church—A man destitute of education, but whose popularity with the vulgar was unbounded. His ambition was still more unlimited than his popularity. With no education, with a sonorous voice, with contracted views of theology, but with no small share of duplicity, low cunning and intrigue, this man has continued to have the exclusive management of the Irish Presbytery. He most cheerfully coincided with my views, and profusely dispensed his counsels. I was a suitable object for such a person—Unsuspecting and credulous, I was the more likely to become an easy prey. He counselled me to make my exit from the secession church upon the footing of a declinature, and to continue in the interim, between that time and the meeting of the Reformed Presbytery, to preach to those, if any, who should adhere to my declinature. I rigidly followed his advice. I was also instructed that my declinature would be my certificate, and that with a copy of it in my hand, I should be instantly admitted into the church. All this I believed. After preaching to adherents five weeks, and with the declinature in my hand, I appeared before the Irish Presbytery, praying admission. Was it that the discipline of that court was essentially at enmity with common sense? Or, was it that my juvenile popularity had stolen upon the ear of my aged counsellor, that the decision of the court was so contrary to what I had been taught to expect? Both of these causes may have contributed; but it was, not without reason, chiefly ascribed to the latter. Well-meaning, but ill-advised people, had, upon the supposition of my being instantly admitted, petitioned the court from different parts of the country for a hearing. As Providence would have it, these petitions originated in a part of the country which the old gentleman had selected as a fertile spot for his only son, who was recently licensed. To degrade, batter and disfigure the stranger, who threatened to derange his prospects, was a piece of policy perfectly congenial

to his feelings. Instead of being admitted upon the strength of my declinature, as he had taught me to believe, it was agreed, "*that they should enquire at the public whether there were any thing to be objected to Mr. Graham's doctrine or conduct ; that a month should be given for this purpose, and that in the mean time Mr. G. desist from preaching.*"

I leave it with the discerning part of mankind to examine the propriety of calling upon public suffrage respecting the doctrine and conduct of a person, who had preached and acted with approbation but five weeks before, as a licentiate in a respectable church, and who, on the very day on which he declined their authority, had exhibited a part of his trials for ordination. The proceeding to suspend a person from the exercise of his office, who was not under their jurisdiction, without any ostensible cause, was a violation of order and decency so flagrant, as to occasion not even a momentary doubt. While Mr. S. aimed to enervate my reputation by this public act, in eliciting reproaches from my late friends, perhaps too justly indignant at what I had done ; within the above month, he paid a visit to several parts of the church, in the vicinity where I had preached, pursuant to his own advice, on my declinature, and suspended and censured those who had heard me. With an ardor which was deserving of a better cause, and setting discipline at defiance, he thrust himself upon the congregations of his brethren, appeared at the head of their sessions, and doomed the people to punishment. Let the candid and the feeling judge, how it must have operated upon the feelings of an innocent young man, who had been more than ordinarily caressed by the church in which he had been educated, unaccustomed to hear the harsh din of censure, to have his character wantonly banded about like an execrated effigy. The tedious month at length expired. A few abusive and insulting reports had been industriously picked up. They appeared in the form of charges. Even the people who had sustained me as a reputable licentiate, had heard and sustained my specimens of trial, and ordered the remainder, on the very day I declined their authority, suffered themselves to be seduced by the flattering prospect of having me lowered in the public estimation. After a very formal attention to these charges, on the 9th of May, 1804, I had the satisfaction to hear myself pronounced innocent, and my character relieved from the load of ignominy, under which it had tottered during the last four weeks. But I must not yet be admitted—no, not even after public suffrage had combined with my declinature to open the way for admission. I have specimens of trial assigned me to occupy my time six weeks longer. In the mean time I am again enjoined not to preach. To suspend me was not enough. The respectable community from which I had received my license must next be insulted. It would have contaminated the Reformed Presbyterian church of Ireland, to have

the gospel preached by virtue of a license obtained from any other. To enquire after the reason of a measure so preposterous was vain. I did enquire the reason. None would be given. Such was the practice of the church. If you chose to dignify this with the name of reason you might. After a fruitless remonstrance, I submitted, for by that time I had learned, if I wished to be initiated into their mysteries, I must submit to be blindfolded. I retired to my disconsolate study, where I dragged out a miserable existence for six weeks longer. During this time, I had not even the sympathy of my fellow men. Indeed I did not merit it. Owing to a fatality which had doomed me to submit to the execrable treatment of that church, I refused to be admonished. I had imbibed a respect for their principles. I did not like to return to my irritated friends. I saw myself egregiously abused, yet I was not to be shaken. At the time appointed, I delivered the specimens of trial. They were sustained; and the business in *to*to referred to the next meeting of Presbytery. This was done without pretending to assign a reason, and again I was strictly enjoined not to preach. I demurred. It was fruitless. I submitted. The matter, however, made a too powerful impression, my spirits became depressed, I appeared to hasten to a state of consumption. I had lost, almost irrecoverably lost, the good opinions of my fellow men. My old friends pronounced me ungrateful, and rejoiced in my affliction. Other communities pronounced me mad, to submit to such treatment. The Reformed Church was constitutionally insensible. They applauded the valour of their senior, who could with so much prowess reduce an aspiring young man. I appeared at their Presbytery, calculating with certainty upon admission. But the old man was become inveterate, and the young gentleman was not ordained. By some unaccountable stroke of policy, I was called upon to make some concession which seemed to implicate my character. I had thus far submitted; but to reflect indignity upon my character, to gratify the depraved feelings of this intriguing old man, I would not consent. He had charged me with schismatically rending the church, alluding to those of his people who would not submit to be censured, on account of hearing me preach upon the footing of my declination. Having asserted it, he would compel me to acknowledge it, and after bestowing the appellations of rascal and villain, very plentifully, clenching his fists to strike, and vociferating repeatedly, with a countenance distorted with rage and revenge, that, if I should be admitted, he should abandon his seat, it was determined that neither at that time should I be admitted. Thus terminated this degrading scene. Here, sir, is a salutary specimen of the early treatment I have met with from this community. One would suppose I am reciting the annals of an Irish guard-house, rather than a Reformed Church.

This conduct was too gross to escape censure. The Reformed Presbytery was now stripped of its mask, and those who had hitherto labored to justify its measures, were ashamed. Nothing could bring Stavely and his accomplices to feel, but a sense of danger. They apprehended their popularity would suffer, and were seriously alarmed. Several sagacious persons advised, to resume my standing as a preacher upon my declinature. This the Presbytery, and the more discerning of the people, feared. Such was the abhorrence with which their measures were regarded, that to have been compelled to have recourse to my ancient ground would have rent their church. To prevent this, all their vigilance and energies were exerted. Letters, petitions, and messengers were dismissed from all quarters, entreating me to desist from preaching, affecting to sympathise with my situation, and to reprobate the proceedings of the Presbytery. Some pledging themselves that ample concessions would be made by Mr. Stavely, and the business should be accommodated without delay; others menacing the Presbytery with declining their authority, and putting themselves under the protection of the Scotch Presbytery. Once more my credulity, and the depression of spirits which had resulted from this scene of persecution, overcame me. I desisted from adopting any definitive measure until the 5th of September, on which a committee of Presbytery had purposed to ordain Mr. Stavely, jun. The week preceding, I had been solicited to pay a visit to Mr. Stavely, sen. in hope of concessions and private accommodation. I was accompanied by one Thomas Mitchell, a man of a robust and vigorous constitution—and it was well I was so, for Mitchell assured me on my return, that the old gentleman had writhed and twisted himself with so much agility, in order to escape Mitchell's gripe and get upon me, who was sitting at his table, to beat me, that he felt his arms still aching. Bravo, reverend signior. You are deservedly at the head of your party. Even a banditti of robbers would be proud of the chivalrous spirit which you possess. Could you have commanded the manifold tortures of the inquisition into operation, with as much facility as you shook your withered arms, I should have died a thousand deaths. Your impotency is matter of joy. Had you been as potent as you are ambitious and malignant, you had bathed in blood the deluded church which submits to your despotism.

On the 5th of September I appeared before the committee—Do not be astonished sir, I have prepared you for it, my worthy old antagonist, had not spent his rage. He challenges me in the presence of his brethren “to meet him time and place, and we should put an end to this business like gentlemen.” This was not done until he had a pledge upon my honor, that I would not go to law with him. Detestable impostor! Your hoary head may, for any thing I know, come down to the grave in blood,

but God forbid I should be your executioner. You have sufficiently impressed my mind, and I believe the minds of others, with indelible convictions of your impiety ; and that revenge must be fell indeed, which could wish to add to the distraction of mind, which hurried you on to such foul measures as those. Wretched must be the proficiency of that disciple of Christ, rather reprobate must be that man, which after a high profession of piety of 40 or 50 years standing, could swagger with a clenched fist in a court of Christ, or challenge a brother preacher to fight a duel. It will be an argument of an age vitiated to an extreme, should your conduct cease to be abhorred !

It is unnecessary, almost, to add, that the Presbytery found itself reduced to the necessity of disapproving of the conduct of Mr. Stavely. But they had not the courage, to arraign him at their bar, or even reprove him sharply to his face. With all his sins upon his head, unatoned and unannealed, he continued to occupy his seat, and to order the destinies of the church. After this scandalous outrage, they found it expedient to use entreaty. I was solicited to prepare for admission by their next meeting of Presbytery. I did so. The terms of admission were proposed, but before I should be admitted, something was wanting to quiet the turbulent spirit of Stavely. They had felt for the wounds which he had inflicted upon his reputation and had perceived they had sunk in public estimation. It was proposed at this interesting crisis, when they had me now in their power, as a desperate remedy, that I should make some concessions. Concessions for what ! They could not tell. I was urged not to demur. It was insinuated, as a rite of little moment to lay the evil spirit. In short I understood it was designed for purposes exactly similar to those proposed, by David's playing skilfully in the presence of Saul. Neither they nor I wished to see the evil spirit come upon the chief ruler. It would have been cruel to refuse a boon so small. The concessions were played off skilfully, although I solemnly declare, I neither knew them, nor know now what they were. But they answered our immediate purpose. The evil spirit was hushed, but not expelled. I was ADMITTED.—After a suspension on the rack of thirty weeks, after my office and reputation most inhumanly mangled, after my health was reduced, and my heart nearly broken, after being reduced to the necessity of parting with my books to answer demands, and after I had been insulted again and again, and hunted for the precious life, I was admitted a licentiate of the Reformed church.—I soon found however that the admission was rather nominal than real. Rancor and revenge still brooded on the heart of Stavely. The members of the Presbytery were still his slaves. To treat me with distance, and practice illiberality and insults, became the watchword of the party. To villify and affront me were a meritorious act. In every part of their communion, which had not been perfectly aware of the

treatment I had received. I was treated with insolence and contempt. Common decency would have been expected to a stranger, but the accustomed civilities of life were absolutely denied. Such was the indefatigable attention paid to this subject, that a disposition to traduce me gained upon the people daily, until at length it threatened to overwhelm me in the very congregation whither I had fled as an asylum. To it you may trace my emigration to America.*

My treatment from first to last in that Presbytery, which continued three years, was conducted on principles hostile to the happiness of man, and destructive of society. I became at once an object of disgust, and my cries under the torture, only rendered *me* more hateful, and *them* more obdurate and unrelenting.†

* Mr. G. ought ever to bless God, for the happy issue in which this scene of illiberal treatment terminated, in the possession of an asylum in a free land.

It is to be regretted, he had benefited so little by experience: That he suffered himself to be seduced by the fair speeches of those who lay in wait to deceive. He had known enough of the candor and friendship of the Reformed church; he had perceived its unjust and tyrannical proceedings, to be the result of a depraved and vitiated taste, rather than incidental occurrences. He had no apology for confiding with it, his reputation and office, a second time. He had experienced the Reformed church the same in all countries. Its government an inquisition; its discipline grafted upon the vilest passions of the human heart. If it have human happiness for its object, it certainly promotes it very indirectly. By those who wish to make the trial, it will be found, with a few exceptions, a sink of anarchy and misanthropy containing a thousand things repulsive to a generous and candid mind.

† This was a consequence to be expected, from a number of men under the designation of a court, suffering themselves to be regulated by passion and caprice. They had no code of laws, to which one could appeal, when one felt disposed to demur or remonstrate. They never pretended to appeal to any. Their uniform way of managing business was, to predetermine in private, what was to be transacted in public. It was no matter what evidence appeared, or how clear and fair the matter stood—they had already decided. If they deigned to reason, which the flagrant injustice of the case sometimes required, their reasoning was designed to darken and bewilder. They threw clouds upon what was already too clear for their purpose, and recurred, in the darkness which they had produced, to their predetermined decisions. Having nothing to direct them but their fears, attachments, ambition and jealousy, every thing was conducted in subordination to these. In such a community, the most unprincipled is often the leader. When the passions, and not fixed principles, are the standard, the desperado who excites fear, or the intriguing dissembler, who gains upon the good opinions of his brethren, will be found to preside. No people, who had the least respect for character, could have behaved as this Presbytery did. But what have they to fear, who under the pretext of religion have been taught to treat their fellow men with contempt, and who have the matter so well arranged, that the people dare look no where else for direction or succor, without believing in their consciences that they have violated their principles.

Reformed Presbyterians, permit me to solicit your attention to this subject a little. Do you not feel for the reputation of your brethren? Are you not grieved

The Reformed Church was not the only source of bitterness, after I acceded to it. The disposition of my old friends to retaliate, on account of the offence which they had taken at quitting their communion, combined with the unprovoked enmity of the Reformed Presbytery. Among the former I had been much caressed. The wrath, incident to provoked friends, stimulated them to conspire my hurt, upon relinquishing their communion. They only waited an opportunity. This opportunity was soon furnished by my settlement. I had been presented with two calls in the Reformed church. One of them solicited me to the pastoral charge of a congregation, the principal part of which consisted of my old acquaintance, some of whom had declined the Secession church at the same time I did. It was in the parish which gave me birth, and where I had spent my *boyish days*.* Of this call I accepted. The principal part of the religious communion which surrounded us belonged to the Secession. They conspired with the disaffected of the Reformed church to watch my steps. They agreed in wresting my words, and in misrepresent-

ed and indignant with their conduct? I am well aware they did not foresee all the consequences. They perhaps never dreamt their manœuvres should meet the public eye; at least they knew their remedy—only raise the hue and cry, of heretic and apostate, and the spirit of enquiry should soon be laid. But, sir, you was not an original actor in this scene, and however you profess attachment to your brethren, I hope so much virtuous shame yet remains, as to bring you to the blush, in the presence of such criminal absurdities. Whether, sir, do you most admire the generosity of your brethren, in the specimen of liberality which they practised upon a young stranger, whom they had inveigled, or their audacity in defending the barbarous conduct of their ruthless chief? Would you not think it for the honor and salvation of that Presbytery, to take shame and confusion of face unto itself, to employ their discipline, in one instance at least, rationally, by correcting Mr. Stavely, and ridding themselves of that load of guilt which remains unexpiated? It is a poor apology to say, he was never formally criminated. It is saying in fact your discipline is radically, and perhaps irremediably defective, and the administration of your church vitiated to an extreme. Would it not have been more consistent in the Irish Presbytery to have discovered a little spirit in defending their own honor against the impudent measures of Mr. Stavely, than in calling upon the American church to renew the persecution of one who had already suffered too much? Do you not think, sir, they would have consulted both their own honor and yours, by suppressing their dastardly malice? And are you not seriously ashamed, that your American brethren suffered their passions so far to seduce them, as to take measures to despatch the victim which the Irish Presbytery had singled out? But they were kindred spirits. They felt alike on this subject, and they acted accordingly.

* Mr. Graham was born and raised in the parish of Ballyrashane, county Antrim, Ireland. At the time he quitted the Secession church, many of his fellow-parishioners imitated his example. Those also connected themselves with the Reformed church, and co-operated with others, in order to have him settled among them as their pastor. They were successful. Mr. G. was ordained on the 11th of December, 1805, in the parish to which he owed his birth, in the midst of his most familiar acquaintances. Let this be recollected by those who ignorantly and impiously inveigh against his reputation and office.

ing my actions. They embittered my life beyond description, by their incessant reproach. Two years I spent in this unhappy situation. During this time I had contracted some small debts, particularly in purchasing a farm, procuring farming utensils, commencing house-keeping, &c. The wrath of party at last spent itself upon me, with so much unrelenting vehemence, that I despaired of ever being happy, in either the Reformed church or my native country. I, in short, became the victim of desponding melancholy. I concluded there was no hope of amelioration. I determined both to abandon my congregation and my country. My utmost wish was to enjoy society, unembittered by resentment, disaffection, or malice. I had not a friend in the Reformed church whom I could trust with my secret. Their unprovoked suspicion and aversion, precluded the possibility of either asking their counsel, or putting confidence in it. My secret continued my own. It preyed upon my spirits—When I determined to quit my country. I was involved in a sum of debt. It was comparatively small, but to me it was serious. I conceived, if I should make known my intentions, I should meet with little sympathy. It would have no other tendency, I thought, than to alarm my creditors. Had I been determined to remain in my congregation, the article of debt could not have injured me; but upon revealing my wish to emigrate, I well knew, situated as I was, it would not only destroy my reputation, but probably subject me to the gripe of my creditors. With all these gloomy impressions before me; what I had suffered most unreasonably from the Reformed church; what I had suffered from my friends of the Secession; the threatened destruction of my respectability and usefulness; the danger of disclosing my circumstances, and the probable prospect of yet being happy, I determined to emigrate privately. I did emigrate, accompanied by no other than Mrs. G. and without having acquainted any, unless my younger brother, with my design. This, sir, I acknowledge. I acknowledge it as my crime; into which I was impelled by stern occurrences, combined with a too exquisite sensibility. Surely the circumstances which conducted to it will enlist the feeling heart, and greatly mitigate the delinquency.

The Irish documents, sir, charge me *secondly* with “presenting a false certificate to ministers in London.” This I admit, sir. I have acknowledged my repentance for it, and do still acknowledge my repentance. Were it not that some of my brethren have commented on this article with an aggravation which I am persuaded it does not deserve, I should not have offered a word in mitigation of the offence. But I am compelled to animadvert and explain.* We are, sir, the creatures of circum-

* The court had, during the whole prosecution, dwelt with an *invincible satisfaction* upon the Irish papers. These very papers which they had before them in 1809, when they agreed to restore Mr. G. to the ministry. They found

stances. One wrong step is necessarily followed by many others, before an opportunity is presented of either detecting or amending it. If the original offence which I have given to the religious world, admitted of extenuating circumstances, much more the transaction in London. What feeling heart, conscious of the infirmities of humanity, and acquainted with the circumstances in which I was involved, would not make many allowances. I hastened from Ireland to London. When I arrived, I possessed only eighteen guineas. I was accompanied by Mrs. G. far advanced in a state of pregnancy. I, equally unknowing and unknown. No person, who has not visited London, can have any conception of the alarming situation of a person, circumstanced as I was. I sat down gloomy and distressed, cast about in my mind what was best to be done. I was unacquainted with business, and had I understood it perfectly, there was no possibility of succeeding without an introduction. I used every effort, by advertising in the newspapers, and forcing myself upon the attention of individuals, particularly agents for academies, to obtain the place of a librarian, a writer for some periodical publication, a translator, or a teacher in an academy. I did not succeed. There was only one resource remained. I had been a preacher. Although I had forfeited the exercise of the office, I still believed I was not yet judicially deprived of it. This afterwards proved correct, for my suspension did not take place until March following, which was at least four months after my arrival in London. I had, moreover, the habits of preaching unimpaired. In this crisis, surrounded with the most alarming and excruciating circumstances, threatened with the horrors of want, and anticipating every moment the confinement of Mrs. G. and the increase of my family, I determined to frame a note of introduction to one of the ministers, bearing that I was a clergyman, in possession of my office, and on my way to America; all of which was literally true. This I presented. It had the desired effect. The horrific blackness which had collected around me dissipated, and, like Jacob's lie, it became instrumental in procuring the blessing. By a train of circumstances, to which this occasion gave rise, I was provided for in London, until, by a most singular providence, God opened a door to emigrate to America. This, sir, is the "head and front of my offence, no more." It is the offence with its extenuating circumstances, and differs as much, I humbly presume, from a

that these documents, followed up with their own official sanction, contained some specious ground for crimination; and although both they, and their Irish brethren, had previously judged and decided upon them, their desponding circumstances compelled them to have recourse to them in the late prosecution. It appeared they designed by a tedious and virulent exaggeration of these documents, to prejudice the people. They were not without hope, of so completely confounding the matter which lay before them, as to impress the minds of their auditors, that the Irish charges had never before been discussed.

deliberate attempt to impose, as a man's stealing bread, in the jaws of starvation, differs from public robbery. If there is any thing more necessary to offer in extenuation of the offence, it is, that no living creature was in the least degree injured by that certificate. Perhaps, few illegal steps have been productive of more real good, and less positive injury. When I reflect upon my situation in London, I am struck with a kind of involuntary impulse, exciting me to bless a compassionate God, that I was restrained from greater acts of violence.

The Irish documents have charged me further, "with contracting debts without a prospect of payment." This, sir, is not true. This I never acknowledged. My debts, at the time I emigrated, did not amount to more than 220*l*. Irish money, or about 900 dollars. The farm which I then occupied, has, since my departure, sold for half that sum. My farming utensils, furniture, books, &c. were equal to the other half. I possessed property which amounted in value to every cent I owed—how then could it have been asserted of me, any more than those of the many thousands who are in debt, but have property to answer it, that I contracted debts without probable means of liquidating them? Had I been certain that I should have been permitted to dispose of this little property advantageously, I knew I could have answered the principal part of the payments. But I despaired of this. I determined, therefore, to abandon my property and my country together, and to trust the Supreme Disposer of all, for future means to satisfy the demands of my creditors. To take the advantage, therefore, of my absence, and make one of the most difficult assertions in the world, that I "contracted debts without probable means of liquidating them," was as ungenerous as it was untrue.

The Irish documents, sir, charge me further with "artifice, fraud and swindling," in contracting my debts.

On what grounds, Sir, does this serious charge rest? 1. "Having procured a sum of money from Widow Rea, and being importuned to pay it, obtained money from Samuel Taylor, an elder in the church, for the express purpose of paying her, which he did not." Admit this transaction to be exactly what it is here stated, is this swindling? Had they proven, that Mr. Taylor gave the sum, not only expressly for the purpose of paying Mrs. Rea, but that he (Mr. Taylor) agreed to acknowledge the payment of Mrs. Rea as a full discharge for the money he lent, then supposing the money not paid to Mrs. Rea, the Presbytery had been correct in calling the transaction by the name of fraud. But if Mrs. Rea has still Mr G's promissory note, which she certainly has, she is not swindled. Again, if Mr. Taylor received Mr. G's promissory note for the money lent to pay Mrs. Rea, which he certainly did, (witness the letter of James Nesbitt, read in your court, demanding the payment of this sum by

virtue of Mr. G's promissory note) then Mr. Taylor was not swindled. Admitting the fact to be what it is here stated, what would it amount to? Certainly this—that Mr. G. obtained a sum of money of Samuel Taylor, for which he gave him his promissory note, telling Mr. T. at the same time, that it was to pay Mrs. Rea, and that Mr. T. found out afterwards, Mrs. R. was not paid. Now, all this, sir, is perfectly consistent with integrity. The debt contracted with Mrs. R. on a promissory note, is consistent with integrity. The sum borrowed from Mr. T. on a promissory note is consistent with integrity. The informing Mr. T. at the time the note was given, that the sum would go to pay Mrs. R. was consistent with integrity. The devoting the sum afterwards to the payment of a more pressing debt, was consistent with integrity. All the parts of the transaction, separately and conjunctly, therefore, are perfectly consistent with the most rigid integrity. What then could induce the members of Presbytery to attribute to such a transaction, the terms “falsehood, artifice and swindling!” The only circumstance in all this, upon which malice itself could ground a surmise, is that where they represent me saying, I would pay Mrs. Rea, but did not. Now, sir, to justify this surmise, they were bound to prove that at the time I borrowed the sum, and informed Mr. T. that I designed to pay Mrs. Rea, I actually designed otherwise; and then it would amount only to a falsehood, but not to fraud. But this they have not proven—this they could not prove. My devoting the money afterwards to some other purpose, will not prove it. For I may have seriously determined to devote the money to one purpose when I borrowed it, and may have afterwards been compelled to devote it to another. This article, sir, as ranked by the Irish Presbytery under the head of falsehood, artifice and swindling, can evince nothing but an abuse of terms, a fell disposition to injure, and an unprecedented attempt to butcher character!

2. “Immediately before he left the country, he obtained stipend from his congregation in advance, that he might satisfy some creditors, which he did not, nor account with his congregation for it.” This, sir, I regret to be compelled to say it, is a direct falsehood. I received no stipend in advance; and so far from not accounting with the congregation, they are indebted to me. This transaction is as follows:—Some time previous to my leaving Ireland, I received of Samuel Pollock, of Dumbo, on the behalf of that part of the congregation, the sum of three pounds, sixteen shillings, in part of the price of a horse, which for two years before they had purposed to bestow. This, sir, must be the transaction which, with a little distortion and aggravation, must have furnished ground for that part of the statement which says, “I received stipend in advance.”—The congregation, sir, owed *me* at the time of my departure. I was paid

my stipend quarterly. It was 52 guineas per annum, or one guinea per week. On the first of November, I had been paid in full. From that time until the 11th of December, when I quitted the congregation, was about six weeks. This, at the usual rate, was six guineas. On the night I departed, I gave my younger brother the amount upon the congregation, with directions to settle for the three pounds, sixteen shillings, I had received as a gift, and to give the balance of the six guineas to Daniel Parks, from whom I had received three guineas in loan. This account my brother wrote me he presented, but was not accepted, the congregation assigning as a reason, that "Mr. Graham had not completed the quarter, which was their time of payment, and therefore there was nothing due." This, sir, is the transaction—I pledge myself for the truth of it—to which the Presbytery alludes, in the second item which they adduce to prove artifice and swindling. That I received stipend in advance, I repeat it, is a falsehood; it was the price of a horse. That I did not account with my congregation for it, is a falsehood; for whether you view the sum of three pounds, sixteen shillings, as a gift or as stipend, the congregation had six weeks of my time for it, or by contract, six guineas. That "I did not satisfy any of my creditors" with this small sum, is certainly more than the Presbytery would have said, had they considered their own reputation. Had the Presbytery a list of my creditors, or of my debts? Are they certain that all my creditors informed them, I did not give them the said three pounds, sixteen shillings? How did the Presbytery come to know, that not one of the number of creditors I had, received either the whole or a part of this little sum? Certainly, sir, nothing ought to have been advanced in a case of so much magnitude, but what was well documented; and where, sir, where, I ask you, would they find men who could swear, or men of character who would even positively assert, that this sum did not go to some one of my creditors!

The third item, sir, is as follows:—"The week before he went away, he obtained money from Daniel Parks, which he promised to pay in a few days, but did not." I shall merely observe upon this, that I received three guineas from D. Parks; that I gave an order on the congregation who were indebted to me, with directions that part of the sum should go to pay Mr. P.; that the congregation not accepting the account, consequently he remained unpaid; and that I hold myself responsible to Mr. P. for the sum of three guineas. The person who can find artifice and swindling in this, must be deficient in a knowledge of the terms. Even admitting the fact stated to be true, that I did not pay at the time specified, it amounts to no more than protracting payment; and although it is a practice by no means commendable, yet were every person, who in the business of life protracts payment, and disappoints his creditors, to be designated a swindler, a very great

proportion of mankind, perhaps of the reverend court who used this language, should class under the head of swindling.

But, sir, it would be an endless task to attend to the exceptionable parts of the Irish documents separately. I deny the fourth item adduced in support of artifice, &c. ; that I either informed, or directed any person to inform, my creditors, on the morning of my auction, that I would *pay them in a few days*. The statement contradicts itself. If my necessities were such, that I called upon my creditors to make prompt payment for the articles they should purchase, it is unreasonable to suppose, I should teach them to expect immediate payment, or that they should have believed me, had I done so. Again, sir, I affirm the fifth item to be false, which asserts, that by *insinuations, and without any return*, I obtained money of Samuel Taylor. I obtained money of him upon my promissory notes. Was this a mere insinuation? A demand of payment by James Nesbitt, predicated upon these promissory notes, has been read before this court. These promissory notes, as legal security, will constrain payment in America, as well as in Ireland. Are these to be ranked with mere insinuations, or to be pronounced artifice, juggling and swindling? My transactions with Mr. Taylor are perfectly conformable to those laws by which credit in all parts of the world is regulated. How then could the Presbytery assert that I *made no return*, or bestow upon legal transactions the invidious name of *insinuations*?

I shall only observe upon the sixth and last item—That I may have asked money of Alexander Kennedy is very possible; that he was Mr. Taylor's clerk is possible, although it was generally understood he had a share in the business; but that I asked this money in collusion with Kennedy, to defraud Mr. Taylor, as the statement invidiously insinuates, is what the Presbytery ought to have substantiated by legal proof, before they had ventured to adduce it in support of a charge.

These, sir, were the disingenuous measures to which our Irish brethren were compelled to have recourse to degrade me. To have contented themselves with the mere assertion that I was in debt, would have been justice, but would not have answered their purposes. They found it necessary to give a little prominence to the parts, and by an artful transition, to bestow the name of fraud upon honest debts. This they found the more practicable, that I was not present to defend myself, and that the irritated creditors felt no disposition to oppose their measures by a correct statement of facts. The method which they adopted in procuring these statements, to which they afterwards gave the name of documents, was unprecedented. Not one of those persons whom they dignified with the appellation of witnesses, was sworn. Their verbal statements were sustained as facts, and without any explanation on my part, they were recorded with whatever coloring disaffected persons thought proper to bestow. Do any

of the items, sir, adduced to prove fraud actually evince it. Where is the proof? Certain facts are stated, but where are the witnesses to support them? What a perversion of justice, what an assassination of character is here! Either, sir, the Irish Presbytery must present the proof on which they ventured their grievous statements abroad, or they must lie under the imputation, of a licentious and impious attack upon one of their brethren.

How do matters now stand between the Irish Presbytery and myself? I agree with the Irish Presbytery, that I quitted my congregation abruptly, and violated my ordination vows. I agree with the Irish Presbytery that I framed a certificate in London. I agree with the Irish Presbytery that I contracted debts in Ireland. But I deny that I ever defrauded or designed to defraud any man. This they were obligated to prove. This they have not proven. This they can never prove. I put them, I put my prosecutors, I put the world to defiance, to prove I have ever defrauded. I have contracted debt; I acknowledge that debt, and I am determined to liquidate it to the last farthing.

These explanations, sir, I offered at the solicitation of the Presbytery who took measures for my restoration in 1809. I appeal to the members of this court who were then present, whether that explanation and this, do not correspond. You have, in your printed extracts of that court, alluded to certain "explanatory remarks" and acknowledged, "that they were received by the court as, in some instances, a mitigation of the criminality of his (Mr. G's) conduct."* The explanation there given, ought, at least in substance, to have appeared upon your records. Had they appeared, they would have precluded the use of those remarks which I have now been compelled to offer.—There is one thing I cannot refrain from observing. These documents were not printed in 1809; they were not in the original manuscript prepared for the press, and in the possession of Dr. McLeod; they do not even now, when printed, contain my explanatory remarks. These circumstances compel me to suspect partiality and inimical intentions in my brethren. Indeed I can hardly conceive how a church which wished to preserve the usefulness of one of its ministers, could prevail upon itself to expose him so wantonly, so unnecessarily, as those printed extracts have exposed me. No, sir, were there no other circumstance, this alone would speak for itself.

I have made those strictures, sir, upon the Irish documents, with a design to remind my brethren of those things which *I have acknowledged to be correct, and for which I have professed repentance*; to refute those calumnies which have sprung up among the people, have received the sanction of ecclesiastical judicatories without investigation or proof, and have been published along

* See printed extracts, page 7.

with the printed extracts of the late Synod, to destroy my reputation. I hope none will mistake this for a *defence*, as if the Irish documents had never before been the subject of investigation and decision. I fear this is the impression which some wish to make, by dwelling so largely upon them. I do not wish it to be understood, that I have by my reply, countenanced such a violation of decency. You are well aware, sir, that these charges, whether true or false, were sustained by the Irish Presbytery; and that they proceeded to rest upon them, the highest censures of the church. Your Presbytery of 1809, sanctioned the proceedings of the Irish Presbytery. Your own records pronounce me absolved from the scandal attached to those charges, and restored to the office of the ministry. To publish these charges, to introduce them into this court, and comment upon them in this trial, are measures so glaringly unjust, as to require no labored illustration.

I have asserted, the Irish Presbytery proceeded to punish on the presumption the charges were proven. For proof of this, I refer you to the Irish documents, dated Colerain, November 10, 1808, printed extracts, page 5. "After mature deliberation, the committee agreed that the Rev. D. Graham be deposed from the office of the holy ministry." I have asserted that your judicatories in America have recognized the proceedings of the Irish church. In proof of this, I refer you to your own records; printed extracts, page 7, dated May 17th, 1809. "After perusing this (the Irish) document, it was moved that this (the American) judicatory recognise the *act* of the Irish Presbytery, *deposing* Mr. Graham; and it was unanimously agreed to recognise it. The Presbytery adopted as its own, the *sentence of deposition*, passed by its sister judicatory." I have asserted, that your judicatories absolved me from the scandal, delivered me from the sentence, restored me to my office. I refer you for proof of this to your own records, printed extracts, pages 8, 9. "After much deliberation on the case of Mr. Graham, it was resolved to take measures for his restoration to office—he was solemnly rebuked—and absolved from the censure under which he lay, so far as it respected his private standing, and restored to the privileges of christian communion." Again; page 7. "It appeared from the minutes of the Presbytery that—a committee was appointed with authority to restore him (Mr. G.)" "The minutes of said committee testified, that Mr. Graham had been by them restored to the holy ministry."

Here, sir, we have the most decisive documents, the records of the judicatories themselves, attesting, that these charges have been investigated, and that I have been punished, absolved, restored.—With what pretensions to justice, I again ask, have these charges been produced, on this occasion? How will

my prosecutors apologise for a measure so disorderly and oppressive? Their object is manifestly to confound, darken and perplex the investigation; and through the clouds conjured up at this crisis, to prejudice the public mind. Alas! Sir, while they toil in dragging into public notice, things which ought to have existed no where but in the private records of the church; while they are commenting upon, and aggravating for hours together, those rash steps for which I have been doomed to the severest censure; while they are laboring to prejudice the minds of my fellow men afresh; while they are propagating scandal out of occurrences of several years standing, from which scandal their own records pronounced me absolved;—While they do so, can they be ignorant that they are violating all order and all law? What man, not the consummate slave of party, would not feel it his interest to oppose such proceedings! What honest, reflecting mind, would not abhor a procedure so hostile to the rights of man! Or how can confidence be reposed in the government of judicatories, who support without evidence, and condemn without hearing; who punish for a crime, absolve from the offence, restore to privilege, and afterwards resume the charges with as little ceremony, as if no decision had been previously passed! But I dismiss a matter, the inconsistency of which is so palpable; and proceed to call the attention of the court to the LIBEL.

You will permit me, sir, before I enter upon the merits of the libel, to premise a few things relative to its constitutionality and grounds. If I be not egregiously mistaken, I hold in my hand a paper bearing the designation of a libel, which, whether we view it as to its origin or form, is indescribably disgraceful to those who framed it. It possesses not a single requisite of a libel. It has originated in a source unprecedented and illegal. This I shall undertake to prove.

1. It appears, from an accumulation of evidence before the court, *that the fama clamosa which opened the way to this process, has been chiefly propagated by my brethren.* I beg no person will suspect me for an undue solicitude to traduce my prosecutors. I am compelled to sift the case, to detect illegal measures, and to expose them to merited censure; in order to do justice to my cause. My brethren cannot tax me with either indelicacy or disorder, while I labor to drag into public view, those secret measures which have plotted my ruin. They have laid themselves open, sir, to my attacks, upon the most scrupulous principles of justice, *by assuming the character of WITNESSES.* LET THIS BE RECOLLECTED. I aver, then, that this process, with the causes which gave rise to it, has originated with my brethren. There are sufficient documents before you, sir, to justify this assertion. Even before I made my appearance in the western country, we are instructed by the depositions of the witnesses,

in the indiscreet measures which were industriously employed, to obstruct the people's confidence in me; that one of my brethren (Dr. McLeod) poured in letters from the east, with "*dark insinuations,*" and ominous predictions, that the "*Church's Head would discover the man (Mr. G.) one day;*"* that another was in the habit of exposing these letters, with his usual comments, and that he was laboring to impress the minds of his confidants with such expressions as these—"Mr. G. is a popular man, but his motives are vanity, and the like"†—"No place will answer him (Mr. G.) but frippering through a city"‡—and when language failed this gentleman, he had recourse to such butchering phrases as this: there is something the matter with Mr. G. but "*we are not able to put a name on it!*"§ After my arrival in the west, the deponents substantiate the following facts: That one of my brethren (Dr. McLeod) spoke, in a confidential conversation, of "*cutting off Mr. G. at once,*" merely because no person would undertake to guarantee him, that Mr. G. was "*a friend to the Redeemer, and to Reformation principles,*" that he propagated reports of "*money borrowed in Baltimore to a large amount,*" which was false, and expressly asserted, that "*Mr. Graham must be degraded.*"|| Sufficient evidence is before you, to acquaint you with the alacrity and zeal of another brother (Mr. Wylie) in propagating similar reports; in particular, that he prompted Becket; that he published his story, with similar reports, in a letter directed to New-York;¶ that a short time previous to this trial, he exerted himself to defame Mr. Graham, within the bounds of his own congregation;* that some time about the middle of last winter, he expressed himself "*Mr. G. would turn out a SHIELDS,*" i. e. an apostate; "*that he would undoubtedly fall again, as he had fallen once,*"† &c. You have the most copious and explicit documents before you, to acquaint you with what assiduity a third brother (Mr. Black) drudged, in propagating scandal in the west. One witness suggests a conversation with Mr. B. in which something defamatory to Mr. G. was communicated, with an imposition of solemn obligations, not to divulge it.‡ Another informs you, that he heard a great many reports, relating to Mr. Graham, particularly the tailor's business of New-York, and of a pair of boots, and that it was from a member of the court (Mr. Black); that he was enjoined not to reveal them; that Mr. G. was Mr. B's jest and table-talk; that Mr.

* Narrative, p. 112, 113. † Ibid p. 97. ‡ p. 113. § p. 113. || p. 114.

¶ See Wylie's oath; his letter to the Synod, to which the depositions of Messrs. Hazelton and Cooper refer, painted with high coloring the scandalous story which he had from Becket. It fully supports what is affirmed above. It is further confirmed by the free circulation of it through Wylie's congregation.

* See the depositions of Samuel Scott and John M'Haffey, p. 89, 90.

† See the deposition of John Stevenson, p. 119.

‡ See the deposition of James Millar, p. 99.

*Black carried about papers and explained them, in order to defame Mr. G's character,"** &c. And that "since Mr. Black returned from the south (*i. e.* after Mr. G. had arrived in Black's neighborhood) he was in the habit of informing numbers, that there were certain charges to be preferred against Mr. G. at the Synod, *for which he would be deposed.*" A *fourth* (Mr. Riley) discovered so much zeal, that, on seeing Bachr's advertisement, he applied first to one, and then to another, to write a letter with the advertisement enclosed, and transmit it to one of the members of Mr. G's congregation, who lived his nearest neighbor, and at last succeeded.† I have it also from good authority, that a *fifth* (Mr. M'Master) addressed a letter to your reverence, moderator, with such an enclosure.—Yes, sir, although I could not get my eye upon one of those *precious advertisements*, they were so plentifully scattered through the western country, that some of my disaffected neighbors, who were trusted with the plot, could boast *they had two of them, and that Mr. Black had more.*" From those scraps, sir, picked up in the course of this tedious trial, notwithstanding the most vigilant and prompt measures to prevent all such information, you may ascertain the source of the *fama clamosa*, upon which the libel is predicated. They constitute an index of discovery. Like a few scattered fragments of ore, they indicate the existence of a mine in their neighborhood. Those who consider them, will be at no loss to ascertain the medium through which those charges were propagated, nor yet the source in which the process took its rise. I trust, for the honor of humanity, such practices are as rare as they are disingenuous. Had the charges been notorious, the prosecutors would have consulted their honor in taking them up. But if they have been also the propagators of the scandal, which is but too obvious, it gives to the prosecution a most disgraceful appearance. When I view these transactions, sir, in connexion with this prosecution; when I am compelled, by irresistible evidence, to contemplate my judges in the light of propagating the very scandal on which they are waiting to give judgment, I cannot help anticipating pernicious consequences. This is an unusual way of addressing a judge, sir, but in the existing circumstances, it appears the most rational.

* See the deposition of James Gormly, p. 117, 118, and of Thomas Hazelton, p. 113.

† This gentleman had flattered himself with the hope of the congregation of Canonsburgh. After Mr. G's arrival in the west, that hope vanished. Ebullitions of spleen followed. The *advertisement* was, of course, gulped down with shark-like avidity. The gentleman to whom he first applied, to aid him in his *dirty* work was GEORGE SLATER, of Walkill. The person with whom he succeeded was JAMES CLARK, of Newburgh. The virtuoso to whom he addressed it was John M'Farland, of Canonsburgh.

2. This libel was framed without any regard paid to its relevancy or grounds, contrary to the general and approved principles and practices of the church. No charges, not even a *fama clamosa*, ought to be framed into a libel, until the nature of the charge be enquired into; the source in which it originated; the grounds upon which it rested, and the probability of proof. I refer for proof of this to the general directions given in the New Testament, for the commencement of processes against offenders—such as the direction given by our Lord in the 18th of Matthew, respecting a private case, which may at length become public. The words of the apostle, 1 Tim. v. 19. "Against an elder receive not an accusation, but before two or three witnesses." Gal. v. 12. "I would they were cut off that trouble you." The apostle was aggrieved by their offences; yet he would not, although invested with apostolical authority, commence a process against them. Matters were not ripe for it. He wisely calculates on consequences, and confines himself to wishes, rather than proceeds to acts. These Scriptures, shew, at least, that judicatories are bound to use great caution in receiving reports; to enquire how offences have become public, and to beware of entering processes on slight grounds. I refer further to Stuart's Collections, a digest of regulations adopted by the Reformed church, in their purest periods of reformation, and to which reference is had by all Presbyterian churches in common.—Book iv. title iv. section 9.

"Yet Presbyteries may proceed against ministers, when a *fama clamosa* of the scandal is so great, that for their own vindication, they find themselves obliged to begin the process without any particular accuser, after they have enquired into the rise, occasion, broachers and grounds of the said common fame."

Book iv. title iv. section 3—"The relevancy of the libel is the justness of the proposition, whether the matter of fact subsumed be proven or not; and, therefore, if the thing offered to probation be obviously irrelevant and frivolous, it ought to be rejected, and not admitted to proof. For nothing is to be admitted by any church judicatory as the ground of a process for censure, but what hath been declared censurable by the word of God. The relevancy of a libel is so much to be regarded, that, I think, it is unlawful for any to be either witnesses or members of inquest upon irrelevant libels. What? Is not this to be a *witness against thy neighbor without cause*, Prov. xxiv. 28. It was a truth that Abimelech the priest gave hallowed bread, and the sword of Goliath to David; yet it was a bloody sin for Doeg the Edomite, to inform the wicked king against the Lord's priest."

This, sir, is to the point. For example—If I, as a minister set for the defence of the gospel, justly suspected one of my brethren guilty of an ambition which threatened the injury of the church, and should communicate my fears to a brother in confidence; or if in a confidential conversation with a friend of the

church, I should complain that I had received evil treatment; is this to be sustained as a relevant charge? Certainly not. This would preclude all confidence, prevent the use of precautions against growing evils, destroy freedom of speech and enquiry, compel one to suffer by another without daring to complain, and is, upon the whole, directly calculated to rob the individual of his right, and to introduce a despotism.—These are things not accounted censurable by the word of God. Now, sir, permit me to ask, did the judicatory which put this libel into my hands, use these precautions? I am certain they did not. I may be mistaken however,—if I should, I call upon the members of this court to correct the mistake, by making it appear that such precautions have been used. I recollect upon receiving the libel, it was moved, “Shall the court sustain it?” and it was sustained without a single observation of any kind, respecting either its form or its merit.

3. A libel ought, after specifying the charges, to have appended to each charge the name or names of the witness or witnesses to be produced in support of it; and a copy of this, with the witnesses thus disposed of, ought to be presented to the accused at least ten days prior to the time appointed for trial. For proof of this, sir, I refer you to Stuart's Collections, book iv. title iii. sect. 2. “The moderator is to inform the offender appearing, of the occasion of his being called, and to give him, if desired, a short note thereof in writing, with the names of the witnesses that are made use of against him, that so he may be prepared to defend himself, which is agreeable to the common principles of justice and equity.” Ibid, book iv. title iv. sect. 10. “After the Presbytery has considered the libel raised against the minister, then they order him to be cited to get a full copy, with a list of the witnesses names to be led for proving thereof, and a formal citation is to be made in writ, either personally or at his dwelling house, bearing a competent time allowed to give in answers unto the libel, and his just defences and objections against witnesses, at least ten free days before the day of compareance.”* These, sir, are precautions so obviously just and necessary, as to admit of no reasonable objection. The principal advantage resulting from this measure to the defendant, is that he has an opportunity of preparing to object to the witnesses, which may be a work requiring time, particularly if the witnesses be disreputable or malicious. This right the defendant loses, if the witnesses' names be either suppressed, or if they be called upon to depose their evidence sooner than ten days after the libel has been put into the hands of the accused. I have been deprived of my rights in both these respects. The libel has been furnished

* See also Associate Reformed Constitution, page 518, sect. 7. General Assembly's Confession of Faith, page 310, sect. 4.

without a complete list of witnesses; and even those specified, are not arranged under the respective charges which they were designed to support. Witness the libel itself. I objected to this informality upon first seeing the libel before the Presbytery, May 25th; but could procure no other amendment than the name of one witness which had been left out, to be appended to the end of the second charge. To have the remaining witnesses' names disposed of at the end of the charge which each was to prove, I found impracticable. I was, therefore, compelled to retain the libel in its present unconstitutional form. This is not all. The deposition of the witnesses was taken the afternoon of the very same day in which I received the libel; whereas they ought not, until at least ten days after. The disadvantages which accrued to me from this illegal step, I might have had reason to regret. I had sufficient ground to object to some of the witnesses, but was not prepared, owing to the haste with which this part of the process was conducted, to introduce my objections, supported in a legal form. This hazardous situation my office has been placed in, by overlooking the established and approved order of the church.

4. A libel ought to condescend upon the *time* and *place*, in which, that which gave rise to each charge happened. Stuart's Collections, book iv. title iii. sect. 2. "The libel must condescend on time and place, when and where the facts and offences libelled were committed, that so the offender may not be precluded from proving himself to have been *alibi*, and so impossible for him to have done such a deed, or so offended at the time and place libelled." Constitution of the General Assembly, page 309, sect. 2. "And, in the accusation, the times, places and circumstances, should be ascertained, if possible; that the accused may have an opportunity to prove an *alibi*, or to extenuate or alleviate his crime."

This, Sir, is a precaution as just as the former. It is not designed to enable the guilty to escape detection, but to aid the innocent. It will readily be admitted, that malevolent or selfish motives may prevail upon persons to conspire the ruin of an individual. By obliging them to specify the time and place when and where the things of which they accuse the object of their hatred happened, they are placed under restrictions which may eventually detect their guilt, and save the innocent. These fine and subtle circumstances, which sanguine conspirators and false witnesses seldom pay attention to, often become a net to involve them. It is one of the ways by which a sinner makes snares with his own hands, to catch himself. By this means, the defendant has it in his power to expose their falsehood, and protect himself, by proving that neither *at that time*, nor *in that place*, did such a thing as he is charged with happen. Has this just measure been attended to by the framers of this libel? No. This libel charges me with withdrawing my "professions of repen-

tance," and refers for proof, to my own words in open court; but does not say what court; or at what time. It might have been in Ireland, Barbadoes or Japan. It might have been this year, last year, or seven years ago. It does not even tell us what kind of a court, whether civil or ecclesiastic; whether a Mayor's court, a court of errors and appeals, a supreme court, a session, a presbytery, a synod, or an assembly! We are referred further for proof, to my "attempting *always* to justify myself against the Irish Presbytery." This is equally indefinite as the former. But perhaps the phraseology exempts the libellers here from the necessity of specifying time and place. If they intended by representing me as *always* justifying my own conduct before the Irish Presbytery, that I was *incessantly* engaged in this business, it was perfectly unnecessary to allude to any particular instance, or to specify time and place. For what one is *always* doing, in this acceptance of the word, he is doing *at all times*, and *in all places*. But, if by this they intended, that I was in the habit of doing so only at times, as occasion offered, then they ought to have had reference to some particular times and places, in which these exceptionable expressions must have been dropped. The second charge is not more specific. I am charged with employing my ministry to the injury of the church, of sowing the seeds of discord, of calumniating the Synod." &c. At what times, or in what places, these three grievous charges happened, is never once suggested. In the third charge, the place is mentioned, but the times are, as usual, unspecified. Here again, the libel is manifestly deficient.

5. The illegality of the libel further appears, in stating as a *fama clamosa*, or common fame, charges which had not, at the time of the formation of the libel, been generally circulated. The first charge, which consists in withdrawing my evidences of repentance, was not a subject of common fame. The facts upon which it is grounded, viz. "my own words in open court," and "my always attempting to justify myself," were not generally known, not even in this community, which bears but a very small proportion to the public at large. The words which I am charged with uttering in open court, from your own explanation, refer to what I uttered before the Synod. Admitting I had dropped these words; it was in the presence of not more than forty persons, chiefly of Mr. McLeod's congregation. These were principally obscure persons, who were not in the habits of corresponding with influential persons in all parts of the United States. Had they been most solicitous to circulate this supposable offence, they had it not in their power. But even admit these forty persons were delegated from all quarters, purposely to make a report of every noxious sentence I uttered, they had not sufficient time between the 16th of May, on which I am charged with uttering the fatal words, and the 25th of the same month,

when the libel was framed. How then could these words constitute a *fama clamosa*? My attempting to justify myself against the Irish Presbytery, in the view in which it is stated in the libel, viz. as a charge of criminality, was not a subject of common fame. In the greater number of places where I have preached in the United States, I have never so much as once mentioned the Irish Presbytery; and where I have mentioned it, and alluded to the conduct they practised towards me, I have never advanced any circumstance but what appeared to me rigidly just; nor have I ever before understood from any quarter, that any strictures I may have made on that subject, were regarded as criminal. I admit, there has been, and is, a common fame, that the Irish Presbytery treated me unjustly; but I believe I can have it proved, that my reverend brethren, both in this court, and out of it, have contributed, at least their share, in spreading this report; and that many others, who have for some years past emigrated from Ireland, together with letters received from it, have also aided in circulating the fame. Should I then admit that I have aided in communicating an impression of injury sustained from the Irish Presbytery, it is no more than my brethren have done, and hundreds both in Ireland and America. I am not now debating whether the justification of myself against the Irish Presbytery, be lawful or unlawful: I speak of it merely as a subject of general fame. Considering it in this view, I deny that I have in all places attempted to justify myself, or that all places in this country, where the report of the evil treatment I have met with from the Irish Presbytery has been circulated, have received it through me, or that it is generally known I have been in the habit of representing myself as injured by the Irish Presbytery. This you must be conscious is not true. This the framers of the libel ought to have considered, before they committed themselves so manifestly, by calling it a general fame.

There is not a single thing specified under the second charge, which was a subject of common fame, at the time the libel was framed. It was not a common fame, "that I was endeavoring to sow the seeds of discord among my brethren." Admitting the letter written to Mr. Wylie to have been calculated to do so, it was written in confidence to him alone, as private as it is possible for any communication to have been. How then could it be a *fama clamosa*? Mr. Reily's evidence charges me with nothing criminal; but such as it is, it refers to a small friendly party of five persons. It was private, and even with the adventitious aid of the indefatigable Reily, had not become a *fama clamosa*. "My calumniating the judicatories," were not things generally known. It was not publicly known that I was suspected of such things, much less that I was guilty. These are chiefly grounded upon the occurrences at Synod and Presbytery, in May last. But above all, how could a conversation had with Dr. McKinney, an obscure

individual in Philadelphia, on the 8th of May, have become so public before the 25th, as to constitute a *fama clamosa* ! It would have taken the winged Mercury, with the trumpet of fame, to have disposed of the few obscure occurrences which fell out in the Synod in New-York, and in conversation with Physician M'Kinney, in a manner which would have justified the framers of the libel in arranging them under the head of a *fama clamosa*. I cannot but regret that my prosecutors should have had so little respect to their own character, as to pronounce occurrences so very private and obscure, a *fama clamosa*, "existing" as they love to phrase it, "to the grief of the godly, and to the great scandal of religion, and of this church in particular."

6. I object to the language of the libel, as vague and incorrect, and calculated to mislead the mind. For example: I am charged with "withdrawing evidences of repentance," and as a proof of this, I am further accused of "attempting to justify myself against the Irish Presbytery." By which, if the language conveys any meaning, it must be, that to justify myself against the Irish Presbytery, whether I had or had not grounds to do so, was criminal. Again, in charge second—The four particulars into which it is distributed are called *evidences*, whereas they are distinct charges, demanding proof. This, sir, is rather a novel way of proving a charge, to refer for proof to things which themselves require to be proved. Farther, in charge third, I am accused of the positive fact of swindling, in matters *unknown to this church* at the time of my restoration. By *this church*, here, must be meant either the section of the Reformed Church in America, or the whole Reformed Church. If the section of the Reformed Church in America be meant, it makes the language of the libel fallacious and inconsistent: for the church in this country has identified itself with the Irish Presbytery, in relation to the Irish charges. Printed Extracts, p. 7. "The Presbytery adopted as its *own*, the sentence of deposition passed by its sister judicatory." The two sister judicatories must therefore be meant. But before the libellers were at liberty to assert that this charge was unknown before my restoration, they were bound to make it appear, not only that it was unknown to the church in America, but also in Ireland. This they have not done, and consequently, for any thing they know to the contrary, they have libelled me on charges which have been already discussed. The first instance of swindling is stated to have consisted in obtaining money by a *false token from Mr. Becket*. This is incorrect. If I obtained money by a token from Mr. Becket, then there was no swindling in the case. If by means of a *false token*, the libel says I got this false token from Mr. B.; consequently, he is the delinquent. To prove the fact of swindling, it is further stated, "I attempted to obtain money," &c. Here the fact is confounded with the attempt. Besides, it is not stated by what means

I attempted. It might have been by trading certain articles for money, or by calling on a debt due me. There are several ways of obtaining money. Pray, sir, which of them was intended? I forbear to take notice of the absurdity of charging a positive fact upon *suspicion*, as it is stated in the last of these items; or of the manner in which the resolution is expressed at the close of the libel, viz. "availing ourselves of whatever is *alluded* to in the minute of Synod." Observe, *alluded to*, not *contained in*, the minute. This would have been too definite; but *alluded to*, a phrase as indefinite, as the most malicious prosecutor could have wished. This incorrect and vague mode of expression is the more inexcusable, as it appears in a libel, than which nothing ought to be more clear, distinct and explicit. The two first charges of this libel are predicated upon sins of infirmity. The words uttered in open court, in the moment of irritation; the letter written to Mr. Wylie; the language with which I am charged in abusing the judicatories; the conversation with Dr. M'Kinney. These, granting them to have existed, were the ebullitions of a lacerated and fermented soul. They proceeded from a heart laboring under oppression. They were momentary, and ought to have expired with the irritable circumstances which gave them birth. They were improper subjects of an ecclesiastical process. For proof of this, I refer you to *Durham on Scandal*, which is generally appealed to as a standard on this subject. Page 51—"Every thing offensive is not public, or immediately to be brought before a church judicatory. Of this sort are, *sins of infirmity*, which possibly may be offensive for the time; yet the person's way being considered, they are to be thought to proceed from his infirmity, they being incident to such who are in some serious manner watchful over their way, and, therefore, are not the object of discipline, which is to curb and restrain the more gross humors of professors; otherwise the exercise of discipline in reference to *infirmities*, would utterly prove an *entanglement* both to officers and members, and so occasion more stumbling, contrary to Christ's scope. Of this sort also are offences that may proceed from mens' carriage in legal pursuits and *civil contracts* which may offend; yet cannot they be legally convinced to have broken a rule, when the strain of their way is legal." Page 60. "There should be no rigid insisting in what is personal, in reference to any of the judicatories. As suppose, they should sometimes get snarling answers, or unbecoming words, or be met with by irreverent carriage; in that case, there would be condescending, and what is offensive beside, would be insisted on, and these personal things forborn." Here, sir, are cases precisely in point. The circumstances mentioned, are perfectly analogous to the greater part of the charges contained in this libel. They are pronounced by this very judicious writer, as unfit to be brought before a church judicatory. In this again my prosecutors have offended.

Finally, I have to complain that the libel is deficient, in omitting to state a number of criminating articles, which were collected from different quarters by the Presbytery and Synod, publicly read, declared to be a *fama clamosa*, and transmitted as such to be read in the congregation of Canonsburgh. If there was any ground for these charges, why are they not in the libel; if there was not, why publish them, and authorise them to be circulated in that part of the country where they were most likely to injure?

Such, sir, is the libel, against which I am called to defend myself. Such is the scandalous paper, under which my character groans. At the foot of this illegal, unjust, unconstitutional instrument, my office—that sacred office with which the Redeemer invested me, by your hands—lies prostrated. Had it been merely an informal paper, I should have spared the court and myself the trouble of animadverting on it. But it is unjust. It contains charges, whose relevancy was never discussed; charges which the prosecutors themselves first propagated; charges grounded upon infirmity; charges which ought not to have made their appearance in public; charges of a personal nature, where the parties offended are my judges; charges on motives, of which no human being can be judge; charges of more than four years standing, which were previously discussed, and for which I have suffered; charges which may or may not be criminal, according as they are explained by circumstances; charges on mere suspicion; charges vaguely expressed, with a manifest design to bewilder; charges where the witnesses' names have been designedly and illegally suppressed; charges where circumstances are adduced as proof, which themselves require to be proved; where circumstances of time and place are unconstitutionally admitted; where attempts are confounded with facts, and indefinite allusions are made, against which it was impossible I could purpose to defend myself. For such a paper, sir, there can be no apology. My prosecutors have boasted of the quantity of materials which the public laid to their hands;—commence a process; they have had sufficient time; they have had the aid of the Synod, with *all its subordinate judicatories*, in furnishing matter.* And, to do them justice, they have not been idle. Why then, in the midst of such a plenty of rank and gross materials of scandal, have they been compelled to present a libel, composed of infirmities, of irritable expressions, of personal offences, of obscure occurrences, and charges long since investigated and dismissed? Why compelled to have recourse for proof, to treacherous friends, to confidential conversations, to inquisitorial torture, friendly letters, unguarded words, to the members of this court, at the risk of their reputation, to forged letters, and such characters as Oliver M. Becket? Rank is the prejudice, deep and injurious the de-

* See Narrative, p. 44.

sign, and great the poverty of materials, which this contemptible piece of writing irresistibly demonstrates. I now dismiss the unjust materials of which the libel is composed, and its unconstitutional form, and proceed to consider its *merits*. We shall now see, sir, that the proof adduced in support of the libel is not less exceptionable than the libel itself.

The *first charge*, sir, is—*Of withdrawing that profession of repentance, on the footing of which you were restored to the exercise of the office of the holy ministry, which appears by the following proofs: Your own words in open court; your attempts always to justify your conduct against the Irish Presbytery, representing yourself as the injured person.*

This charge is, one, I have understood, upon which my prosecutors are determined to lay great stress. They have even gone so far, in the language of absurdity, as to tell us, if this can be proved, that I have withdrawn my evidences of repentance, they shall be at liberty to try me on the Irish charges, for which I have been already deposed. They have asserted, that this charge alone, if proven, will be relevant to deposition; for, sir, my prosecutors never calculated on *less* than deposition. If this charge does it, it is well; if another does it, it is well; if ~~no~~ charge does it, it is well. Still they are determined to have me deposed. Whatever my prosecutors, however, may think, a charge, or charges, which would infer deposition, ought to be of a very heinous nature, and well supported. This charge, sir, is a most absurd one. It is a charge equally incapable of either proof or defence. *It is incapable of proof.* Who would dare to give testimony on oath, that any man had withdrawn his repentance? To the truth of what one perceives by his senses, he may bear witness. He may attest also what passes within himself. But the repentance of another, is what he neither can perceive by his senses, nor experience within himself. It is a something, of which no wise man will pretend to be a competent judge, much less would he hazard his salvation on the truth of it. We are not to be surprised, sir, if we should find the prosecutors have failed in proof of this charge. It is a thing which no witnesses can legally establish. It is difficult to prove repentance, but abundantly more difficult to prove the want of it. You may, perhaps, find some who will venture to depone upon oath that this man fears, that man loves, a third repents, but you will hardly find any man of probity who will affirm, as they must answer to Almighty God, that this man does not fear, that man does not love, and a third does not repent. The charge then is, in its very nature, incapable of legal proof, and consequently absurd. *It is equally incapable of legal defence.* How is it possible for a person, charged with wanting a certain habit or disposition of mind, to prove, to the satisfaction of others, that he possesses it? He may assert, but his assertions may be contradicted. He may act as a person would do who is actually

possessed of that habit or disposition, but his actions may be suspected. How then can he, in a legal and formal manner, refute objections, or destroy suspicions? It is impossible. The thing is in its very nature, incapable of being demonstrated. No person will, no person can, affirm upon oath, that another actually possesses that habit or disposition. Repentance is a disposition of the heart. No one will undertake to prove, that another possesses it. He could scarcely be willing to affirm it upon oath of himself. All he can do is to assert and act. But his assertions and actions may still be suspected, and he may find it impossible to defend himself against ill-natured surmises and invidious charges. My prosecutors must not, therefore, allege, because I cannot produce witnesses that I have not withdrawn my repentance, that they are at liberty to conclude, the charge is substantiated. To produce witnesses in such a case, is what no reasonable man will believe is practicable. When I assert, allude to circumstances and to facts, I produce all the evidence which any man could do, charged with wanting any virtuous disposition. I could rid myself at once of this embarrassing charge, by saying, that it is one of a most unprecedented nature; that it is one incapable of discussion at any earthly bar; that it puts the plaintiff on proving, the defendant on rebutting, and the court on judging, what no created being can prove, can rebut, can judge. But, sir, the charge being designedly *intriguing, subtle, and embarrassing*, it demands some attention. What proof is adduced to support it? Has any person appeared, to swear that Mr. G. has either spoken or acted in such a manner, as would justify any one in concluding he had withdrawn his repentance? No, neither of them. The proof is what might have been expected. It consists in certain words, which nobody has been able to repeat, in *insinuations*, in the opinions of my prosecutors, and in garbled conversations. These, sir, are the materials with which they have gone to work, to prove, that the unhappy object of their hate is destitute of the grace of repentance, a charge which the most sanguinary persecutors, in the darkest ages, would have been ashamed to have preferred against the unoffending disciple of Christ! Let us hear the proof. 1. Printed extracts, p. 19—"He *INSINUATED* that the scandalous crimes for which he had been deposed, and for which he had professed repentance, were only fictitious." 2. Minutes of Presbytery, May 25—"He (Mr. G.) declared, they (the court) were a mean set, a dirty set, and incapable of trying him; that Mr. Wylie was a tyrant and a weak man; that Dr. McLeod was a tyrant, and had treated him rascally, and that he could prove it." 3. Mr. Wylie's deposition—"He (Mr. G.) said he was not guilty of forging in London, and that his conduct respecting the certificate was both honorable and proper." These, sir, are the whole of the evidence adduced before this court, to prove that I have withdrawn my repentance. The first expresses itself in language no stronger than

insinuation; the second is a collection of irritable expressions, which must have been dropped the evening after the libel was put into my hands, and consequently had no reference to it at the time it was formed; the third is a garbled clause of a conversation, deposed by a witness, against whom malice, enmity, partial counsel, and falsehood had been established by unexceptionable proof. Is it possible, sir, my prosecutors can have forgotten their own reputation so far, as to suppose, a charge of so much magnitude, as they affect to think this charge to be, is to be established by such proof as this! Let us see whether this be not much too slender to support the fabric which these gentlemen are toiling to rear. An *insinuation*! what is that? Where are the fatal words which Mr. G. uttered *in open court*? These words, it would appear, have been seized with avidity, as an infallible index of Mr. G's heart. Certainly they ought to have been here. But they are not. We have got a substitute for them. It is the impression they made, or the opinion that was formed of them. "He *insinuated*," says the minute. This is no proof, sir. I repeat it, sir, this is no proof. It is not my *words in open court*. It expresses an opinion.

Is it possible any member of this court can trifle with his own understanding so far as to call an insinuation by the name of proof? much less an insinuation as the opinion of another? Is opinion proof? Is insinuation proof? Who does not know we are prone to form opinions as we are affected? And how wretched should the state of society be, should men be liable to be convicted upon opinion? I call for direct proof. I am charged with uttering words, upon which a very serious inference is established. Produce the words. They are the premises. Reason, justice, right, require they be produced. But admitting such words had been uttered as would have *positively expressed* and not *merely insinuated*, I was sorry I had professed repentance—still would it appear extremely doubtful whether this court ought to avail itself of them, and that for two reasons. 1. It was the duty of the court, when these words are said to have dropped, to have taken cognizance of them. It was its province to call me instantly to order, and to demand an explanation. Supposing that explanation had not given satisfaction, they might have agreed to censure; and then had I not submitted, they should have had ground to have referred the case in an orderly manner to the Presbytery to which I belonged. But was any thing like this done? Was I called to order? Was I called on to explain? Was I pronounced censurable? Did the deed which was drawn up, afterwards enjoining a process against me, take any notice of this? So far from this, was not Dr. M'L. the only person who even attempted to speak in reply to the observations I had delivered? and did not he observe in apology for not speaking, "that the words with which I had concluded had completely dis-

"armed him." That is, he admits them as a full apology for whatever had dropt offensive to the court; and did not the court accede to his remark by their silence?

Now, sir, does not this shew, that either the court had not then felt the force of this insinuation, or that they conceived the circumstances in which I was placed a sufficient apology? at least it shews, to resume the matter afterwards is contrary to the order of the church. I appeal for proof of this to Stuart's Collections, book iii. title vii. sect. 4. "In libelling of such injuries (viz. verbal injuries) there is requisite, that the pursuer did presently resent the injury, and thereby did signify his dissatisfaction therewith: For if he was of such a temper as not to signify any resentment thereof at first, the law will not allow him to repent of that good humor."

2. Admitting these words alluded to had actually been uttered, it is very doubtful whether this court should sustain them as proof. I appeared at the Synod full of my wrongs. My character had been basely treated for some months before, by some of my brethren. I had suffered in secret, and was the more chafed, that I found it hard to detect my calumniators. I had the mortification to learn, the people in all quarters were prejudiced against me, without having any immediate prospect of removing those prejudices. My sufferings in Ireland occurred afresh to my lacerated mind. I suspected treachery, misrepresentation, falsehood, and persecution, and my ominous mind pointed me out a scene of pain, such as that from which I had just escaped. I found the asylum to which I had fled, polluted by the unhallowed breath of slander. I had been virtually degraded, by excluding me from a seat in court. I had just heard reasons read, from the middle Presbytery, destructive of my character, for which I knew there were no grounds. I had heard a letter read from Ireland, charging me with nothing new, but repeating what both they and the American church had already discussed, judged, and upon which they had both finally decided. I saw the drift of these papers, and the effects they were likely to produce on the public mind; add to this, every look, gesture and measure of my brethren indicated hostility. Thus circumstanced, I spoke. With feelings tremblingly alive, excruciated by reflections on the past, and gloomy anticipations of the future, I dropped a few observations. What the hurry and trepidation of the moment must have been, I leave it with the feeling and the generous soul to conjecture. I may have uttered words unadvisedly. It is probable I did so. But that these words should have laid, in part, the ground of suspension in *another* court, while they were not so much as taken notice of in that court where they are said to have dropped; or that recourse should be had to them in proof of any thing, but of a heart laboring with oppression, and endeavoring to escape from it, is more than can be justified.

But I have stated the minute, which says "he insinuated that," &c. as the opinion of the court. Even this is doubtful. I appeal to the original minutes. That it appears in the printed minutes cannot make it the opinion of the court. If these minutes have been correctly copied, there must have been an original minute, which must have been the result of some discussion respecting these words. Now I call upon the members of that court here present, to say whether there was any discussion on these words in the Synod, whether an opinion upon them was taken, whether a minute respecting this was recorded? If not, the opinion expressed in the *printed extracts*, is not the opinion of the court, but of the clerk or of the committee appointed to publish these extracts.

Will this court regard as proof, an *extra* opinion of the clerk or committee, expressing a belief of an insinuation, about words whose merits have never been taken up and discussed? Words which have not been proven? Words which if they were uttered, were uttered in circumstances, which Solomon has said, will make a wise man mad? Shall words, for which the court seemed satisfied that a sufficient apology was offered in the concluding observations, shall these words be had recourse to, as premises fully establishing ground for the weighty conclusion, "that I have withdrawn my evidences of repentance?"

I am not certain, sir, of all the ideas I may have dropped, much less of the precise terms I may have employed, but I shall candidly state to this court, what have ever been my views of the offences with which I have been charged, which occasioned my deposition, and of the proceedings of the Irish Presbytery. They are the views, which when I have spoken upon this subject, either publicly or privately, I have uniformly presented.

1. As it respects the manner in which I was treated upon my application to the Irish Presbytery, I am persuaded it was ungenerous, and in many instances cruel.
2. My conduct, in quitting my congregation abruptly, I have always held in abhorrence. For it I have professed repentance, do now profess repentance, and I trust, shall continue to profess repentance. Yet, I have both the public documents of the judicatories of this church,* and the ardent expressions of my brethren out of judicature,† that the criminality of this rash step, was greatly mitigated by the circumstances which led to it.
3. I have always been in the habit of acknowledging my repentance, for the certificate which was presented to one of the London ministers. I believe it still to have been a disgraceful act; yet, circumstanced as I was, I have always regarded it, as greatly mitigated. I am not alone in this

* See printed extracts, page 7.

† See Mr. Wylie's letter to Mr. Hazleton, and his conversation, as stated upon oath, Narrative page 112.

opinion, sir. I have Mr. Wylie's word for it, who is a member of your court, that he wrote Mr. Knox of Baltimore, "Mr. G's conduct when fully known, was calculated to do him honor;" one of the witnesses deponed, that Mr. Wylie, in a letter written him, writes "he thought the embarrassed state of Mr. G's affairs would mitigate what criminality was attached to his conduct;"* farther, that he heard Mr. Wylie express himself to this amount, relative to the subject, "that had he been placed in Mr. G's situation, he thought he would have done worse."* It appears, sir, my brethren were at one period precisely of the same mind on this subject, which I have been always. It is they, sir, who have changed, and not I. When Mr. Wylie at one time, says "he would have done worse, situated as I was, and that my conduct, if known, would do me honor," and at another, swears against me, to prove I have withdrawn my repentance, merely because I attempted to extenuate my conduct, when he was aggravating it; whether is it Mr. Wylie or I who have been inconsistent? My brethren, sir, have changed their mind, or at least their measures, and the stigma of that change they wish to affix upon me. But overlooking those inconsistencies, sir, does Mr. Wylie's deposing that I called my "conduct in London honorable and proper," prove any thing to the purpose? That part of the deposition you must take in connexion with Mr. Hazelton, who depones, that in the conversation "the London business came up, respecting a certificate; that Mr. G. denied it was a forgery, saying that it contained nothing but what was strictly true, and that it was subscribed, not by the name of any member of the Irish Presbytery, but by a fictitious name, *and could not legally be called a forgery.*" What does all this amount to, sir? Why, a conversation took place between Messrs. Wylie and Graham, Mr. Hazelton being present. Mr. Wylie ill-naturedly threw into Mr. G's teeth the London certificate, calling it a forgery, with a design to insult; Mr. G. resented his insolence, by telling him it was no forgery in the legal acceptance of the word, and assigning his reasons, and had in his zeal to defend himself from insult, further asserted that all things considered, the London affair was honorable. Mr. Wylie, previously determined to have Mr. G. degraded, greedily snatched at this expression of the moment, and manufactured it into a grave and solemn proof of Mr. G's having withdrawn his repentance. This you will recollect, sir, is the same Mr. Wylie, against whom has been proven, enmity, malice and falsehood, and who at one period, used expressions still more strong in justification of Mr. G's conduct in London, than that to which he has now sworn, with an intention to strip him of his office!

4. I have uniformly acknowledged my debts in Ireland. I have

* See Narrative page 112.

even admitted, that a part of them may have been imprudently contracted. This is the more likely, as they were contracted at an early period of life. But I never have acknowledged any fraudulent design upon any man, nor do I think my creditors have been defrauded by my emigrating from Ireland. 5. I never have, to my recollection, imputed blame to the Irish Presbytery, any further than I have perceived them laboring to multiply charges, and torturing fair transactions into crimes. I am of opinion, that the breach of my ordination vows, the London certificate, and the disappointment of my creditors, demanded censure. Had the Irish Presbytery confined itself to these facts, which alone were capable of proof, and conducted their process legally, I should never have quarrelled for the censure they dispensed. But, sir, I blame them for unnecessarily and unjustly destroying my character, by attaching to my transactions the name of swindling. I blame them for conducting the process against me with too much haste; that contrary to the rules of the church they never cited me to appear, although it can be proven they knew my address; that my letters, in which I craved delay, and offered explanations, were not attended to; that I was condemned without being heard, either in person, by proxy, or by letter, in my own defence; that the witnesses who appeared against me were exceptionable characters; that even these witnesses were suffered to tender their depositions without an oath; and that charges were sustained as facts, ruinous to my character, upon this feeble and inconclusive evidence.

These explanations I offer with the greater confidence, that every one of my reverend brethren, now present in this court, heard me make them, in substance the same, and at much greater length, before the Presbytery of May, 1809. I can well recollect, my brethren now present, while I offered these explanations, "with a greedy ear devoured up my discourse." There was no objection then to my free and honest strictures; no cry that they evidenced a hard heart, and deficiency in evidences of repentance. There was a general conviction of the integrity of my remarks, and a kind of involuntary burst of disapprobation at some of the treatment I had met with. You spoke freely of the *high coloring* of the Irish documents, and called the proof against me *ex parte evidence*. That was the time to object to the insufficiency of my evidences of repentance. I affirm, and I call upon my prosecutors to contradict me, that I at that time attempted "to justify myself against the Irish Presbytery, and to represent myself injured," as much as ever I have been in the habit of doing any where. By what strange and inexplicable process has it happened, then, that the very explanations which I then offered as evidences of repentance, where I was guilty, and of conscious integrity wherein I was innocent, have been now construed into

the opposite extreme, and stated as a proof that I have "with-drawn my evidences of repentance?"

Reverend sir, I care not for consequences, nor will the formalities of any court prevent me from doing justice to myself. I never have acknowledged that part of the documents of the Irish Presbytery that charges me with fraud. If I have, let my prosecutors bear witness, and establish the fact by legal proof. I must not be told roundly that I have acknowledged it—it must be proven by unexceptionable witnesses. The court which took measures for my restoration paid no attention to these charges. They merely recognize the act of deposition, without concerning themselves about the grounds on which it rested.* They did not put the charges alleged by the Irish Presbytery severally. They knew I had been condemned without hearing; they said the documents were *highly colored*; they heard my explanation; they perceived the effect it had in stripping the Irish documents of their aggravated aspect, and presenting the transactions as just and honorable, upon which they had bestowed the name of fraud. They received it accordingly. I did not confess myself guilty of the charge of fraud, as is now unjustly insinuated. I endeavored to impress a very different conviction, and you can bear me witness I was not unsuccessful. This I have uniformly done. This I did in your hearing. This I did with your approbation. In doing so, you did more than insinuate that I performed a duty, and what was a duty then, cannot, as it is stated in the libel, be a "scandalous sin" now.

I have now shewn you, sir, that this charge is in itself absurd; that it is alike incapable of proof and defence; that no legal proof has been advanced; that my words in open court have not appeared; that irritable expressions, especially when overlooked at the time they dropped, ought not to be heard in a process; that I have always spoke consistently of the Irish transactions; that with the same dispositions and expressions upon that subject, with which I appeared before the Presbytery of 1809, I now appear; and that Mr. Wylie's deposition goes to demonstrate a change in him and my brethren, but not in me. You will find it your honor, sir, to discard this charge as unsupported. Believe me, sir, nothing can be more preposterous, than forcing a meaning upon another's words, which he strenuously contends he did not intend. How much more absurd would it appear in a court to degrade itself by a contention so ignoble. My prosecutors having manifestly failed in proving the charge, it now remains for me to assure this court, I have not ceased to repent of the offences which I have acknowledged. I never designed to convey any such impression. I may have used words which might lead to a suspicion of this kind. This was no more than an infelicity of ex-

* See printed extracts, page 7.

pression, to which every man is liable, and never more than when he appears before a tribunal, or is overwhelmed by acute and painful circumstances. If, in opposition to these explanations and solemn assurances, the court insist upon the charge, I shall only add, that of my heart they can be no judges, but by my expressions; and I leave it with this court to determine, whether, expressions dropt (admitting them dropt) in the *hurry* and *trepidation* of the moment, accompanied with a too exquisite and irritable sensibility to human woes; or, expressions uttered after *mature deliberation*, coolly and dispassionately, ought to be regarded, as *best* calculated to express the *real* dispositions of the soul, and which ought to be conceived, as laying the most solid and rational ground for the judgment of a court of Christ?

I proceed, sir, to consider the *second* charge, with the proof adduced to support it.

Charge ii. *Of employing your ministry to the injury of the church, as appears by the following evidences: Your endeavoring to sow the seeds of discord among your brethren in the ministry; your calumniating and abusing the foreign ministerial connexions of this church; your abusing and calumniating the Synod of the Reformed church in North America; your calumnious conduct in Mr. Wylie's congregation, in conversation with Dr. M'Kinney.*

To prove the first item of this charge, sir, two things have been adduced; a letter written by me to Mr. Wylie, and the deposition of Mr. Reily. The letter to Mr. Wylie is dated from Pittsburgh, October 8th, 1810, and is as follows:

"*Reverend and dear brother*—I have received a letter from Mr. M'Leod, and one from our friends in Albany. Wallkill did not proceed with a call. Albany supplicated for a moderation, but were refused, it being discovered that they were a part of Mr. M'Master's charge; that they were not an organized congregation, and that they could not instal Mr. Graham to teach school, &c. While our sagacious disciplinarians in the north are sacrificing my prospects to punctilios, to cover the basest motives, they are no less solicitous to impress the people to the west, that my motives in preaching are "vanity, and a thirst for popularity," &c. Unmanly and ungenerous conduct! But they are aware they have nothing to fear, and that the basest things with which they can be charged, allow them only an opportunity of displaying their magnanimity, and extorting fresh bursts of admiration from their duped brethren. You, sir, could you let yourself believe it, are as much the object of their *machiavelism* as I am. They have not used such freedoms with your character, but I have often been mortified to find they had reduced you much beneath your level. And if I am not egregiously mistaken, you will, in a few years, have as little influence to boast of in the church, at least to the north, as I have at present. Were a great question at this moment to be agitated, you should be surprised

to find how much your opinion should be cast into shade, I can recognise, in the single instance of a pressing invitation, which Mr. Milligan has received from your friend McLeod, to repair to New-York to finish his education, as much intrigue, as in any instance he has displayed respecting myself. Should you not thank me for this information, you will do me the justice to believe, that I feel beyond what I am capable of expressing, to perceive such talents and attainments as you possess, left unguarded, and likely in the issue, to stand eclipsed by those whose acquisitions are much inferior to yours, but whose intriguing disposition supplies the place of talents. Do, my dear brother, believe me cordially sincere and concerned for your honor, when I express myself so. This heart knows the place you occupy in it, and I write thus because I love and esteem you. As it respects myself, what I have suffered has awakened me to a state of vigilance, which must forever preclude the possibility of practising upon me, whether by force or fraud. I beg you to write me, and send me your salutary advice," &c. &c.

A true copy.

Signed by JOHN BLACK, Moderator.

This letter, sir, I acknowledge. Whether it goes to establish the charge of prostituting my ministry, will depend, not so much upon the phraseology of the letter, or the glosses of my adversaries, as upon concomitant circumstances. You will forgive me, sir, for treating so gravely, such ludicrous attempts to destroy character, and annihilate the office of an ambassador of Christ. He has not confided our offices with us upon the supposition, that we are destitute of the passions and infirmities of men, or because we may not be guilty of a weak credulity, which may frequently subject us to the treachery and caprice of others. Low and contemptible indeed, sir, must the views of those men be, of the ministerial office, who think it is to be shaken, much less destroyed, by a few bold expressions tabled on the heart of a deceitful friend. When we contemplate persons industriously picking up a few exceptionable words or phrases, to attack an office conferred by him whose "*calling is without repentance*," we are bound to commiserate their weakness. Methinks I hear our Redeemer addressing the members of this court, as he did the zealous who brought the woman taken in adultery, "He that is without sin, let him cast the first stone." That brother who has never offended, by his writing or his speech, in the way in which I am here charged, "let him throw the first stone."

Every thing about this libel, sir, is represented by my accusers to be inexpressibly impious. Never had a few simple facts the honor of being dignified by terms of such "thundering strength and learned sound." The former charge has been impiously swelled into "*lying against the Holy Ghost*." This charge has been blown up into a size equally terrific. This letter particularly, has

been represented as calculated to produce in the church an effect similar to that of an earthquake. Let us cautiously approach this tremendous epistle, and see whether it be entitled to all that grandeur of mischief which has been attributed to it. *Let us consider it in point of fact.*

In the summer of 1810, I visited Walkill and Albany. I found it extremely inconvenient to support my family in New-York, and determined they should accompany me. They did so. However solicitous I might have been to itinerate through the several parts of this scattered community, yet pressed by incessant applications for the payment of debt, on account of which my character was suffering, and anxious to see my family in a comfortable situation, I felt a strong inclination to become stationary. Our people in Albany were few. They appeared cordially attached. I had practised habits of teaching with considerable success. I understood the prospect in Albany, as a teacher, was flattering; and from all I could gather, our ecclesiastical prospects were not less brilliant. Impelled by circumstances, I began to conceive serious designs of settling in Albany, and if possible, before the winter. There were, however, obstacles of a serious nature in the way of settlement. Our brethren in Albany were few. My intention to remain among them was novel. I had reason to believe my thoughts on that subject would be disrelished by some of my reverend brethren, particularly those of the Middle Presbytery, who had been sanguine in the expectation I would accept of a call from Baltimore. Add to this, I had an appointment to visit the western country in the end of the summer. The fulfillment of this appointment, circumstanced as I was, I conceived unreasonable. I wrote Messrs. Wylie, M'Leod and M'Masters on that subject, stating my difficulties, and begging their advice. The letters I received in answer, are in my possession, and by permission of the moderator, I shall read them. [Here Mr. G. read the letters, which agreed in consenting, that Mr. G. should remain in the north, and should not proceed to fulfil his appointments to the west, if he conceived it necessary to desist.]

I perceived from these letters, although there was a compliance with my wish, it was reluctant. Perceiving this, tenacious of my respect for presbyterial appointments, anxious to see the western church, and to prevent murmurs on all hands, I determined at once to set out for the western country, endeavoring to recommend my distracted affairs to the Disposer of All.

Before I set out, I wished to encourage myself and the people with a prospect of a speedy return to the north. Our friends were so very few, that unless I trespassed upon my usual reserve, and suggested some hope of success, it was hardly conceivable they would apply for the moderation of a call. I had formed an attachment to Albany, and had suggested the probability of success. I

had communicated my thoughts upon the subject, to the members of the Northern Presbytery, who appeared to approve of it. The Presbytery was to meet immediately after I left Albany. The people were determined to petition. The members of Presbytery appeared well affected, and always spoke and wrote of Albany as a vacancy. This was the state of affairs on quitting the north.

Shortly after my arrival in Pittsburgh, I received a letter from Mr. M'Leod, which, with the permission of the moderator, I shall read. [Here Mr. G. read the letter, signifying that the petition of Albany was not granted by the Presbytery, because the Presbytery could not think of moderating a call for so few, nor installing Mr. G. to teach school; and because Albany was a part of Mr. M'Master's congregation.] At the same time, I received a letter from Mr. Rogers, of Albany, agreeing with Mr. M'Leod's reasons, and complaining upon the Presbytery for hard treatment. Our few friends found themselves disappointed. I felt aggrieved with the reasons assigned, "that the people of Albany were of Mr. M'Master's congregation, and that I could not be ordained to teach school." Albany was nearly as strong as Baltimore, and had better prospects as it respected the church. My brethren would not instal me to teach in Albany, yet they had agreed to instal me to teach in Baltimore. With regard to the people of Albany forming a part of Mr. M'Master's congregation, I had never dreamed it—the people were themselves unconscious of it. Neither Mr. M'Master, nor Mr. M'Leod had ever the most remotely insinuated it; although we had discussed the subject. On the contrary, I can produce documents to shew, that both these gentlemen, and the Presbytery, had been in the habit of regarding Albany as a vacancy.

[Here Mr. G. produced a letter from Dr. M'Leod, dated from Schenectady, August, 1809, congratulating Mr. G. upon his restoration, informing him that the people of Albany had determined to petition the Presbytery respecting him; describing the eligibility of Albany as his place of settlement; proposing he should open a belles lettres class in it, to aid him until the congregation should increase; and begging to know at Mr. G. what answer the Presbytery should give to the petition of Albany.]

In this letter, Mr. M'Leod, a member of the Presbytery under whose inspection Albany people are, writes of them as a vacant congregation, petitioning Presbytery respecting me, wishing to know what encouragement I shall give them, and using arguments to prevail upon me to settle there immediately. This was not the solitary opinion of an individual. The Presbytery acted upon the petition of Albany, as a vacancy, and gave me appointments, on condition I should find it convenient during the winter of 1810, to fulfil them.

These measures, compared with the decisions of the Presbytery, in which the petition of Albany was rejected, were not consistent. In 1809 they are heard as a vacancy; in 1810 they have their petition rejected, because they form a part of Mr. M'Master's congregation. I was provoked at such inconsistency. I was aware of M'Leod's intrigue. I suspected his motives. I felt hurt at the suggestion of my tampering with a part of another man's congregation. In this mood I sat down to write the letter which has excited so much interest, and which has been produced in evidence against me. Upon a review of the inconsistent conduct of my brethren to the north, I had too much reason to suggest to my friend in confidence, "our sagacious disciplinarians to the north were actuated by base motives."* The circumstances to which I allude, as it respects the west, were letters and reports, prejudicial to my character, which reached the west, from some of my brethren, before my arrival there, representing me as "*vain, preaching the gospel for popularity, a mere harranguer,*" &c. &c. This certainly merited no less censure than to call it "unmanly and ungenerous conduct." But I cannot be thus particular. You are aware, sir, of the circumstance on which I ground the reprehension which I reached my brethren, when I call them *duped*, and speak of *false magnanimity*. If I acquaint my friend with the undue methods which have been employed to "reduce him beneath his level," it was because I loved him, and had often witnessed such attempts to reduce the estimation in which I held him. Much of this information I had from Mr. Wylie himself.

[Here Mr. G. adverted to numerous instances, in which Mr. W. had complained to him of Mr. M'Leod's undue attempts to reduce him with the church.]

The circumstance of Mr. Milligan to which I allude, I did not fabricate. I received the report of Mr. Brown of Greensburgh. I perceived in it the hand of Joab. I was conscious of the weakness of Mr. Wylie, and I thought it my duty to put him on his guard. The respect I express for him in that letter was real. So devout was my attachment to him, that, although I had seen him trepitate a little through M'Leod's influence, had any one suggested the possibility of treachery in him, I should have regarded it, almost, as an unpardonable offence.

Let this letter, sir, be next considered as a *confidential communication*. We had known each other at college. From my arrival in this country, he had professed the most ardent friendship. I

* Mr. G. was correct in assigning *base motives* to his brethren in this transaction. M'Leod acknowledged before the court, in the course of his remarks, that "they did not wish to have Mr. G. settled in Albany; they feared his sedition, (i. e. M'Leod feared Mr. G's opposition to his ambition) and wished to have him settled in Baltimore, where he would have less influence, and could do less hurt." Compare this with Mr. M'Leod's approbation of Mr. G's design in settling in Albany, and you have a correct specimen of his intrigue.

appeal to his letters. [Here Mr. G. read a letter, in which Mr. Wylie appeals to God for "*the place which Mr. G. had in his heart.*"] Can any thing evince a more glowing attachment than these documents? Mr. W. took the most lively interest in my affairs. Was it to be wondered at, that I should unbosom myself to a person who had my confidence so unboundedly? What would I have withheld from this man? A friend is a suitable repository of fears, hopes, and sorrows. Mr. W. was emphatically mine. Letters passed between us to this effect. These only excited our appetite, but did not satiate. We longed to have an interview. When this happened, we freely unbosomed ourselves to each other. *Neither of us thought of sowing seeds of discord.* We wished to correct mistakes, and place matters in a true point of view. I informed Mr. W. of the treatment I had met with from M'Leod. He, with equal frankness, disclosed the substance of letters and reports, which he had upon that subject. He had received information to that effect from different quarters, and particularly from some of the students who attended the theological lectures in New-York. He frequently called M'Leod *A STILLET-TO-MAN*, in allusion to a Spaniard, or perhaps a *Highlandman*, *who carries his dirk under his plaid.* He expressed his fears of M'Leod's intriguing disposition, and complained of several instances of personal injury he sustained by him. These are things, sir, which I considered sacred to friendship, and should never have exposed them, but to meet the low measures, to which my prosecutors have been compelled to have recourse. I regard such things with contempt; but if I am pulled into the mire by a ruffian, I must struggle through mud to get out. Friendship, sir, obligated Mr. W. to be cautious in taking offence, but still more cautious in exposing it to the injury of his friend. What offence will not friendship pardon? What infirmity will it not mantle? How can we confide too much in the integrity of a friend? And when the friend betrays, who will not rather abhor him for his treachery, than censure the imprudence of the victim whom he has betrayed? Let no person be so absurd as to object, that Mr. W. on the supposition he thought his brother injured, was compelled to disclose it. How could he know Mr. M'Leod was injured, until he explained with Mr. G.? Besides, it is preposterous to suppose that the letter could injure Mr. M'Leod, if Mr. Wylie was offended with Mr. G. on the account of it. The letter was only known to Mr. G. and Mr. W. It could not injure Mr. M'Leod with Mr. G. These things, whether he wrote them or not, he believed. It could injure Mr. M'Leod with Mr. W. only on the supposition, that Mr. Wylie believed it. But he did not believe it. He was offended with it. The best thing he could have done for his injured brother, if he really believed him so, was to burn the letter, and to call upon Mr. G. for an explanation. All the evil consequences arose from the in-

discretion of Mr. W. in exposing the letter, and from his treachery in betraying one brother, and inflaming the mind of another. I call upon this court, upon this auditory, to judge, what would be the state of society, upon the principle that Mr. Wylie's conduct be justified? It is not an enemy can injure, it is a friend. A friend who is conversant with the infirmities of his friend, who sees him in his most unguarded moments, who becomes the depository of his fears, sorrows, and secrets. Should a friend be at liberty to expose his friend with impunity, there is an end to friendship. Confidence will degenerate into credulity, and the deceitful wretch who feeds with a rancorous rapture upon the catalogue of his friend's infirmities, will be no longer an object of execration.

Further, sir—Mr. W. professes to be a christian, and to subject himself to the laws of christianity. Admitting him to have been offended, he is acquainted with the order he ought to have adopted; he has practised, as a ruler, upon it. It was a private injury, the law respecting the mode of obtaining redress, is explicit.* What then did the laws of christianity obligate him to? Are men at liberty to burst through all ties of friendship, of confidence, and of christianity, at once, upon receiving an offence? No, the world itself has stamped infamy upon the treacherous friend; and while religion affixes odium to him who takes the advantage of the infirmities of his brother, it points out the path of duty. It calls upon him who is offended to seek an explanation, to forgive seventy times seven times. It pronounces him, an "ungodly man, who digs up evil." Has Mr. Wylie attended to its directions? Has he acquainted his offending brother with his offence? Has he asked an explanation? Has he labored to have those occurrences set in a true light, at which he took offence? Has he employed his influence as a mediator between his two brethren, to have them conciliated? No, sir. Much the reverse. It never was the most remotely suggested to me, although I had several interviews with Mr. W. that he was the least offended, until this letter was read in open Synod. The matter at one leap is carried into the public, with the coloring of a bitter adversary, with the bravado, that Mr. W. "would not hold confidence with such a man." Poor apology! the most abject and abandoned villain could do exactly as Mr. W. has done. Perhaps he could not aggravate his treachery by an apology so handsomely framed. It will, sir, take all the sophistry of even Mr. W. to convince any unprejudiced mind that he has not violated every law of order and decency, or to screen him from merited odium. I feel for the reputation of this court, for having so far connived at a piece of conduct so execrable. The laws of the

* See Matth. 18—Stuart's Collections, p. 259—Also, Ref. Test. p. 512—Gen. Asses. Con. p. 309. 3—Brown on Scandal, p. 328. 9.

church obligate a court to censure those who proceed disorderly in the conduct of a process. That Mr. W. has done so, needs no further comment—and that this court must share the blame and divide the disgrace with him, if he be not corrected, is no less obvious. It is certainly no small evidence in favor of my cause, that before my prosecutors could advance a single step in the prosecution, they were obliged to violate the most sacred rules of friendship, of honor, and of christianity!

It has become a popular and a laudable thing, sir, to treat me in this ungentlemanly and dishonorable manner. We have more instances than this in the prosecution. The friendly board, the rites of hospitality, the confidential conference, the open and ingenuous conversation, have all been violated. I have been watched, taken, under the guise of friendship, into their houses, the subject of my sufferings has been introduced, severe strictures have been made upon the conduct of my enemies; I have been haunted and attacked in every shape and form, in order to wrest from me something to be preferred in support of a charge. Such disgraceful conduct will certainly punish itself.

But let us proceed to another instance of treachery and meanness. It is the evidence of Mr. Reily. What has this man violated the ties of brotherhood, and betrayed the generous freedom of conversation at the hospitable board, to witness? Why, really nothing. I did not speak unfriendly of the seminary. *I appeared to regret it should not succeed.* I did not say any thing disrespectful of M'Leod, but he thought "*I discovered a disposition hostile to him.*" This gentleman wished to witness something; he was placed like Doeg, in the company where I eat bread; he had no fact to state against me, but spleen will always have a resource. He had his own prejudices, and these he states under the color of a charge.—And what, suppose I had made free with M'Leod's character, is this more than he has done with mine? Who knows but what I had reason to feel indignant at some treatment received from M'Leod? Why not complain? Is M'Leod a Pope? Is he infallible? If I am wronged, have I not as much right as another man to complain? If M'Leod wronged me, is he not as liable to be complained of, as another man? Ought my brethren to make that a public charge, and call it by the name of a scandalous sin, which they have so liberally practised upon myself? How is it, that which is laudable in them, is a crying sin in me?

This, too, was a private offence. Still more private than the former. The witness does not even say that I uttered any thing criminal, but "*I appeared,*" &c. *i. e.* there was something in my heart, which his penetrating discernment could discover. This is the order of the day, sir. There is something about me which plain men cannot see, but which my lynx-eyed brethren can easily detect. This keen, discerning Reily saw through me. Still the matter rested with my disposition. It was in my heart. This was

pretty private indeed. But by a little chicanery and *finesse*, it is manufactured into a *fama clamosa*, is charged in the most public manner as a scandalous sin, and I am suspended from the exercise of my office, and my office itself put in hazard for it. For what? Not for any act which I committed, nor any word which I uttered, but for a disposition concealed in my own heart. This is indeed carrying a prosecution to its *ne plus ultra*. In England a man may not *speak* evil of the king, but he is permitted to *think* evil of him, without punishment. The most despotic and absolute tyrant, not excepting his holiness at Rome, has never thought of punishing for the dispositions of the heart. Dr. McLeod, is, I suppose, the first created being, who has ever been so far honored, as to have a prosecution commenced against a man, and punishment inflicted, for *thinking* evil of him.

The *second* item, which charges me with "calumniating the foreign connexions of this church," alludes, I suppose, to what I have said of the Irish Presbytery. To utter severe animadversions, founded in truth, is one thing; to utter calumny, is another. Of the former, there is proof before the court; of the latter, there is none. Calumny is an injurious representation of character, founded in falsehood. That I have been guilty of this, requires to be evinced, before the charge be sustained. It is easy to color my conduct with strong language. Let it be proved that I have calumniated the Irish Presbytery. They are not infallible. They may have injured me. I can prove that yourselves have said they injured me. If so, how is this court certain, that they did not give me sufficient ground for my animadversions? and if they did so, I have not calumniated them, however strong the language may have been. I have never understood, that any man, out of deference to any other man, or class of men, is obliged to desist from a just vindication of his own character. If you know of any authority, I beg you will mention it. If a number of clergymen could be capable of entering into resolutions to rob any member of this court of his wealth, would he not find it his duty to defend himself? and yet we are told by the Spirit of God, "A good name is better than riches." The members of this court can bear me witness, that I have spoken with the utmost delicacy and reserve of the Irish Presbytery, both in the judicatories, and out of them. I would always have endeavored to do so, had they attended to any reasonable limits in their strictures on my conduct. It was very painful for me to be obliged to use severe animadversions. But there is a time when it would be criminal to be silent. If the Irish Presbytery placed themselves in a situation so awkward, as either to compel me to submit to injury, or to defend myself by opposing them, I am not to be accountable for that. I have opposed their representations; and before this court be at liberty to pronounce me guilty of calumny, they are obligated, by every tie of justice, to first ascertain that

the statement of facts I have made is false, and that consequently my animadversions are unfounded. I must not be told, the Irish documents are to be received as proof. They affect to state facts. I deny these facts. It becomes the Irish Presbytery, or some others for them, to prove their statement correct. It is a very convenient way to ruin a character, by first raking up the reports of the country, and stating and writing them in one court, and then drawing upon them as proof in another. I have suffered much in this way. It is an ingenious method of carrying on a prosecution; but it is liable to many objections. It is a method of procedure which every court, that is concerned to preserve its dignity, and to impress a conviction of justice, will be cautious in practising. We have had documents after documents from the Irish Presbytery on this subject. Although from the first they contained representations in many instances liable to objection, I felt delicate in exposing them. Had they desisted from unnecessarily dwelling on them, I might have consented to bury the matter in oblivion. But they have repeated them, repeated them with additions, with additions more aggravated than the original representations. It is, therefore, high time for me to step forward, particularly as these matters have been published to the world, and to call upon the Irish Presbytery, to prove certain things which they have officially communicated. I do so. I deny I have calumniated them, and I call upon proof, legal proof, not garbled words, not the aggravated coloring of prejudiced men.

The *third* item, which charges me with "calumniating the Synod," needs no reply. It is charged in direct contradiction to the rules of the church. It alludes to irritable expressions, the offspring of human infirmity, and is, therefore, an unsuitable subject of public prosecution. It was not attended to where it happened, although I was at that time not a delinquent, but a brother in full standing; and the laws of the church, will not allow the judicatory to repent of the forgiving spirit, which then induced them to pass it over. It is an irregularity of that description, sir, which by the laws of all legislative or executive bodies, subjects the persons who transgress, in the first instance to be called to order. If they neglect to do so in the proper season, which is the instant the irregularity happens, they should only expose themselves, by taking it up afterwards as a subject of prosecution. This irregularity, foisted into the libel, is an additional evidence of the poverty of the process.

But what, sir, shall I say, of the *last* item of this charge, viz. "My calumnious conduct in Mr. Wylie's congregation, in company with Dr. M'Kinney." Let us hear the Doctor. [Here Mr. G. read Dr. M'Kinney's deposition, which see, Narrative, page 71.]

I shall not pretend to defend myself against Dr. M'Kinney's eleven years' acquaintance with Mr. Wylie, nor his letter of eight

pages, nor his reasons for believing and thinking this and that, nor his *surprise*, nor his doubtful opinions, about who circulated the reports in Mr. W's congregation. This medley of facts, views, opinions, feelings, and determinations, upon oath, is as degrading to the understanding of the witness, as to any court who would permit it to appear in a deposition.—Nothing certainly, can be more illegal, than, to proceed to convict one, on the inward dispositions and experiences of a witness.

The part of the deposition which is designed to operate against me, must be that which states my animadversions upon Messrs. M'Leod, Wylie and Black. And will any person be so absurd as to suppose, if these gentlemen were conspiring against my office, and the happiness of myself and family, that I was criminal in complaining of it? complaining not publicly, which I might have done, but privately, to one who swears, that he himself regarded the conversation as confidential, and with no other object in view, as the deponent deposeth, than to procure correct information, on what must be admitted, to have been deeply interesting to us both? Shall mankind, in general, be permitted with impunity to reveal their grievances, and must I be an exception? Must I, above all others, be doomed to punishment, merely because I have dared to complain? It is base, it is hateful tyranny. Had my accusers, first enquired after the grounds of my complaint, and finding I had none, commenced a prosecution against me, they had been justifiable. But to institute a public prosecution against me, on the language of complaint, before they had examined the causes of it, is tyrannical, with a witness. Every man, sir, will make common cause with me in this. It is such a palpable invasion of the rights of man! This, sir, is further liable to all the objections I have already offered. Even admitting it to be criminal, it was private, and therefore subject to the laws, by which a private process ought to be conducted. It was a personal thing, and therefore, unfit matter for a public prosecution. I can account for such an impudent violation of the rules of the church, only one way. Dr. M'Kinney, sneaks with his story to Mr. Wylie. Mr. Wylie's pride is hurt. He was, at that very nick of time, toiling in the formation of a libel against Mr. G. He could not resist the opportunity, of lugging it in as a charge. He found, although, it was of no great moment, it could be proved; and, desperately situated as he was, proof was a dear thing, and not to be neglected. I cannot help expressing my astonishment, at the conduct of my prosecutors. Is it possible they could be so ignorant of ecclesiastical propriety, as this process would indicate? Or rather, has not an angry and just God, permitted them to proceed in this matter with an overgrown sottishness and stupidity, to correct them for a systematic prostitution of church power?

But, sir, dismissing this, I am shocked at the treacherous spirit, which publicly, and in despite of a sense of sin and shame, is fostered in this community. That persons should be countenanced in an indecent violation of confidence and friendship, is an alarming reflection. Let that society beware who deals too freely in the violation of the laws of honor and of friendship. I know, sir, it is not only tolerated, but applauded in the present case; but depend upon it, sir, the triumph which false friendship and dishonorable measures achieve, will be of uncertain duration.

Bad as the world is, sir, it is prepared to treat with contempt such abuses as these. Had these persons been able to injure me, it is manifest they would have done it. And what is it they might not have had in their power? They swear they were friends, and that our "conversations were confidential." I bless God, who has preserved me, from having any thing to repose in them, or from reposing any thing in them which would have seriously injured. How much is every man in the power of his friend? And how fatal might friendship prove, were it always productive of such bitter fruits as these? But the weaklings who suffered themselves to be seduced into these measures, are not so much to blame, as those who prompted them. It is the intriguing, vindictive ecclesiastic, who practises upon the infirmities of his fellow men, and who stimulates them into irregularity, to gratify his pride and revenge, who ought to be treated with merited execration. Look next, sir, how this driveller gets rid of his confidential honor! He considers all confidence removed. Why? He did not wait to examine the matter, or enquire after the ground of the case. This would have been too painful a process. It would have been unpopular too. He required only to review his acquaintance with Dr. McLeod and Mr. Wylie. This broke the spell, and like a disenchanted knight in romance, Physician McKinney recovered his liberty.

I proceed to the third charge, sir.

*Your being guilty of swindling in Belfast, in matters unknown to this church at the time of your restoration, viz. In obtaining money from Mrs. Martin, by means of a false token from Mr. Becket. Also attempting to obtain money from Mrs. Martin, on the day after your elopement from your congregation. In borrowing money from Mr. Moore of Belfast, for your brother, for which you became responsible, while there is every reason to suspect you did not intend paying it.**

* The investigation of this charge, even admitting there had been presumptive ground for it, was unconstitutional. It respected transactions of long standing, which, if they at all existed, must have been before the Irish Presbytery, and have preceded Mr. G's deposition. For a conviction of the illegality of this part of the prosecution, see Mr. G's speech before the Presbytery in Philadelphia, p. 53—63.

Here, moderator, is a very grievous charge indeed. One which, if it can be substantiated, subjects to civil penalties. I hope my prosecutors were aware of this. However they may feel disposed to trifle with their character about evidences of repentance, and indications of hostility to the church, it is presumable they would not hazard their reputation and even punishment, by a charge of high criminality, without some reasonable prospect of proof. What proof have we gotten? Before I reply, I must beg the attention of the court to the charge, as it is distributed into three separate articles. If this distinction be not attended to, we may be led into the mistake, that there is only one fact to be substantiated, and that all the evidence goes to support it. The first item is the case which respects Oliver Becket. His deposition, and that of William Jamison, I shall read. [Here Mr. G. read the depositions, with the cross-examinations, which see, Narrative p. 64—69.] I shall take the liberty of presenting to this court a letter, addressed by O. Becket to me, dated from Colerain, Ireland, May 25th, 1809, and received by me, at Greenwich, New-York, the August of the same year. [Here Mr. G. read the letter. It began *My dear friend*; stated that from December 7th, 1807, he (Becket) had been out of business on account of failure, until the November before he wrote, viz. Nov. 1808, when his brother procured for him the house in which Wark & Waddle had lived; Colerain, where he had set up the grocery and spirit business, but complains it was on a low scale. He begged Mr. G's advice about coming on to New-York. He informed Mr. G. of the outcry which had been made after his departure; said he did not believe what was reported, and that he believed Mr. G. did not design to defraud any man out of a single shilling, but that he was, *drove to do as he did by his embarrassments*; hoped that Mr. G. would shew this to be the case; and concluded by informing Mr. G. that his (Mr. G's) brother, had gone to Spain in the medical staff of sir John Moore, and had received a wound, &c.*]

* This letter, with six more papers, chiefly letters from M'Leod and Wylie, to Mr. G. were presented by Mr. G. to the court, in the course of his defence. The next day Mr. G. demanded them. He was told he could not have the originals, but he should have copies. After the court dissolved, Mr. G. sent one of his clerks to Mr. Wylie, the clerk of the court, for the copies which the court had promised. He informed him they were not prepared, but should be left with Mr. Black. After Mr. Wylie's departure, the clerk called on Mr. Black, who informed him, the papers had not been left with him, that Mr. W. had carried them on to Philadelphia! Mr. G. wrote on immediately to COUNSELLOR BROWN to have the copies forwarded, from whom he has received no answer at this date, October 25th. It is to be regretted the papers have not arrived. They were important, and should have been inserted at full length. They are referred to, however, and their substance given, with a correctness which will be liable to few exceptions. Should the papers afterwards be put into the hands of Mr. G. those who may have curiosity to see them, shall have the freest access. The author of this narrative has been told, since the court, that the cler-

Let us return, sir, to the point with which we set out. It is the charge of swindling O. Becket, by means of a false token. The tedious depositions we have read, are intended to prove the charge.—Now, sir, admitting we should give the *fullest degree of credit* to what both the witnesses have deposed, to what will it amount? Only, that Mr. G. got two guineas of Mrs. M. by presenting the compliments of O. Becket, and that O. Becket paid the said two guineas for Mr. G. I call upon my accusers, I call upon this court, and upon all who may either have heard or read these depositions, to analyze them with the most curious and scrupulous attention, and say, whether they go to establish more than this. Now, sir, all this may be safely admitted, and yet the charge remain destitute of proof. I am charged, not with obtaining two guineas of Mrs. M. not with using Becket's name in procuring it, but *with using his name without his knowledge*, or using a *false token*. This is the thing to be proved. Does Jamison prove it? No, he informs you he understood by Mrs. M. that Mr. G. got two guineas of her by presenting Becket's compliments. This is all. Does Becket prove it? No. Becket does not prove it, he proves the contrary.—*BECKET does not prove it*. He asserts, that he understood by Mrs. M. Mr. G. made use of his name, that he *TOLD Mrs. M. he had not given Mr. G. an order to receive it*, and that he settled with Mrs. M. for the two guineas. When he asserts Mr. G. made use of his name, and that he paid the two guineas, he asserts nothing to the purpose. This may be safely admitted. The question at issue is, did Mr. G. use his name without his authority? To make it appear that he did, there is nothing in Becket's deposition but a conversation he had with Mrs. M. at two different interviews, in which he says, "he told Mrs. M. he had never given Mr. G. any order to receive two guineas from her on his account." This looks like proof. But nothing can be farther from it. The witness does not positively assert upon his oath, that he had not given Mr. G. an order to receive two guineas from Mrs. M. on his account, but he asserts that he told Mrs. M. so. The texture of this oath is fabricated with exquisite skill. The witness is only swearing to what he expressed in conversation to Mrs. M. and yet it is so artfully

gymen are determined to suspect the genuineness of the letter attributed to Becket. It may be, and should it be so, it will be perfectly in unison with their unjust proceedings, and especially with the meanness discovered in *traitorously carrying off* Mr. G.'s papers, and *detaining* them. We appeal, for proof of the genuineness of this letter, to the intrinsic evidence of the letter itself; to the hand-writing of Becket, which, had the court suspected, would have been sworn to; to the post-mark of Colerain; to *one* person, at least, who can swear to the time Mr. G. received it, August, 1809; to *two* persons who saw Mr. G. in May last, toss his books in Philadelphia, which had been packed from May, 1810, in quest of it; and to the hundreds of reputable spectators who saw the court examine the letter at the time it was produced in evidence, and sustain it without a single objection, to its genuineness.

contrived, that one would imagine he is actually swearing that he gave no order to Mr. G. to obtain the money. He had expressed a falsehood to Mrs. M. but he has not courage enough to confirm it upon oath. He artfully evades it, by deposing to the fact, that he told Mrs. M. but not to the truth of ~~WHAT~~ he told her. That Becket told Mrs. M. so, may be admitted; but that what he told her was ~~TRUE~~, is the thing to be proved. I shall not dispute with my accusers, whether Becket has been in the habit of communicating to Mrs. M. to my prosecutors, or to hundreds besides, that he gave Mr. G. no authority to use his name, but I shall dispute the truth of the assertion. I may have told that one of my brethren is a drunkard; should I be called upon to prove the charge, and should I state upon oath before this court, that I had told it, would this court sustain it as proof? Whether the conscience of the witness, or the dread of a prosecution may have deterred him, is doubtful; but certain it is, he has disappointed the expectations of his employers. We may readily admit, he had taught them to expect more; that at least, he would roundly assert, Mr. G. had defrauded him, by using his name without his knowledge. But when it comes to the point, he shrinks, and instead of a round affirmation, sends them away with a conversation he had four years ago with Mrs. M. Again, *BECKET proves the contrary*. When interrogated upon his examination, after he had lost sight of his fabricated story, whether he would positively assert that Mr. G. swindled him out of two guineas? He replied, "*I do not say it, nor do I think you (Mr. G.) capable of such a thing.*"* Here, sir, is a direct and intelligible assertion. My accusers saw the destructive force of it when it was delivered. We are not to be surprised they exerted themselves unreasonably to suppress it.† It was not a mere squib, sir; it was a barrel of gunpowder discharging its fury upon their little fabric at once. Is this the proof, sir, which was intended to convict me of swindling? It cannot be possible. No two points in the universe are in more direct opposition, than the object which this witness was called upon to prove, and the proof he offers. It is not merely a destitution of proof; it is a certificate to the contrary. The witness has said incomparably more in favor of my cause, than if he had simply denied I defrauded him. He has expressed himself in the strongest terms, of his conviction of my integrity. "He thinks me incapable of such a thing." Poor Becket! He was conscious, in demanding of me the payment of a bill due to another, without any authority, he had exposed himself to merited disgrace, and probable punishment. He contrived to cover his imposture, by circulating the calumny on-

* See Narrative, p. 67, attested by Mr. Page, counsellor's clerk, in whose hand-writing the answer may be seen, by applying to Mr. G. See, also, J. Cooper's deposition, page 116.

† See Narrative, page 67, 68.

which this charge is predicated. After the conspiracy was formed to divest me of my office, my accusers found they had need of him. He had engaged to furnish them with no ordinary materials for a prosecution. How they must have been electrified with the prospect! When the crisis arrived, either Becket's conscience or courage failed him, his passions subsided, and awed by the dread of the God by whom he had sworn, he affirms once and again, "I do not say Mr. G. swindled me, neither do I think him capable of it."

Here, sir, I might stop; and full of the injuries I have sustained by this prosecution, might interrogate my prosecutors—With what audacity dared they to publicly criminate any man with the high misdemeanor of swindling, when they must have been conscious they had no better evidence to adduce than this? I can appreciate their intention. It was not to have me exculpated. It was, to conjure up clouds of suspicion, and to awaken the sleepless tongue of slander.

But, sir, let us sift the case further. Let us not be contented with the conviction that the charge has not been proven. Let us shew that it cannot be proven; that there is not the most remote ground of suspicion; that probability is against my accusers: thus, sir, shall we shiver the cheek-bone of calumny.

That I acknowledged the receipt of two pounds of Mrs. M. and purposed to pay it to Becket, on producing Mrs. M's receipt, has been proven by the deposition of Becket himself, and the acknowledgment of Mr. Wylie; but that I obtained that sum by a false token, or, which is the same thing, used Becket's name, without his knowledge, is extremely improbable. 1. That Mr. G. a minister sufficiently known and respectable to command credit in Belfast, as all the witnesses agree, should apply to Mrs. M. who lived in the same street with O. Becket, (North-street) and should make use of his name, without his knowledge, for the sum of only two pounds, not to extricate out of some pressing difficulty, but to purchase a pair of boots, is indeed improbable. The improbability is heightened by the deposition of the witness, who states, Mr. G. went the same evening to a tea-party; that he saw him the next day; that Mr. G. lodged at Mrs. M's when in Belfast; that he saw Mrs. M. next day; that they (Becket and Mrs. M.) talked over the matter, and that neither of them mentioned the circumstance to Mr. G. That Mr. G. might have committed such an outrage, had Becket lived a considerable distance from Mrs. M.; or had he been on his way from his congregation, not to return; or had he been pressed by some serious difficulty; or had the sum been large—is possible. But that he should commit such an imposture upon persons who lived within cry of each other, for the paltry sum of two pounds; and that he should remain in town after it, lodge at Mrs. M's, and see Mr. B. and no mention of the matter by either Mrs. M. or Mr.

B. or any apology by Mr. G. is not probable. 2. That Mr. G. should have committed such an imposture on Mrs. M. and Mr. B. and should, as the witness has deposed, have remained at least a month or six weeks in his own congregation, before he (the witness) understood he had left Ireland, and that neither Mrs. M. nor the witness, should have written Mr. G. upon the subject, nor even mentioned the circumstance to Messrs. M'Fadden, Moore or Henderson, with whom the parties were all intimately acquainted, nor have mentioned to any other before Mr. G.'s quitting Ireland, especially, if as the witness states, he (the witness) had previous to the reception of the two guineas, determined to hold no more correspondence with Mr. G.—is improbable. The improbability is increased, from the consideration that the witness, as he deposes, had been assured by Mrs. M. on the next day after the money was received, she should hold him accountable for it; and further still, that the witness, as appears from his letter, was at that very instant embarrassed. It is not very probable, that a person of Becket's character, in the jaws of bankruptcy, would have submitted quietly to have his embarrassments increased by an imposture. 3. What renders the report propagated by the witness and my accusers, altogether incredible, is, that had Mr. G. been conscious of having committed so mean and base an action, he should, after having returned, and remained some time in his congregation, during which period he must have been certain Mrs. M. must have detected the fraud, have, as the second part of the charge states, applied on the next day after he eloped from his congregation, to the said Mrs. M. for five guineas more! 4. It is certain from the evidence of the witness himself, that Mr. G. did not commit a fraud upon him, who roundly affirms upon his cross-examination, that "he (Becket, the very person who had fabricated the story, and who had represented himself as the object of the fraud) "he would not say it," that Mr. G. had defrauded him. "he did not think he could be capable of such a thing." 5. Becket deposes he paid the money to Mrs. M. which is hardly possible, if he had been defrauded. The reason he assigns on his deposition, viz. lest he should lose Mrs. M.'s custom, is destroyed by his letter. By his deposition, he settled for the two guineas, in December, 1807. By his letter, he failed on the 7th of December, 1807, and did no more business in Belfast, nor any where else, until Nov. 1808. How then could he be induced to settle with Mrs. M. to prevent her, as he states, "from quitting to take her liquors from him!" The reason which he represents Mrs. M. as urging his settlement for the two guineas, viz. "that it was through him (Becket) she had given Mr. G. credit not only for that, but other small sums, lodging," &c. is contradicted by Jamison's deposition, who states that Mr. G. on applying for the two guineas, "asked her if she was acquainted with a gentleman of the name of Becket." 6. The

manifest contradictions in Becket's deposition, and between the deposition and his letter, and his general conduct, render it highly probable, that Becket and my accusers, in representing him defrauded, have propagated a falsehood. His deposition contradicts itself. In his direct testimony he deposes, that it was in the month of December he paid the money to Mrs. M. and that it was a month or six weeks after that, when he heard that Mr. G. had left Ireland; yet in his cross-examination he states, that he saw Mr. Nimock, his partner, on next day, or day following Mr. G's passing through Belfast, (the 12th or 13th of December) who was following Mr. G. with his bill. He deposes, an account against Mr. G. to the *firm of Becket and Nimock*, after his arrival in America; although he admits, that for some years before, and when the account was contracted with Nimock, he had his store in Belfast; that he had not Nimock's name upon his shew-board, nor had Nimock his in Colerain; that when he failed, Nimock did not fail, which inconsistency he explained by saying, there was only a private contract between them, and yet he charged Mr. G. with the account to a *public firm and partnership*. The contradictions between the deposition and letter are still more glaring. "My dear friend," says the letter; "with his accustomed impudence," says the deposition. The deposition is obviously intended to criminate Mr. G. and communicate an impression that Becket was defrauded. This letter states his conviction, that it was Mr. G's embarrassment, "and not any disposition to defraud any man of a single shilling, which drove him to do as he did." The inconsistencies, sir, are too numerous to admit of separate attention. His general character, sir, is before you. It is not the character of mere report. It is established by legal documents. The witnesses inform you, that he carried with him immense property from Ireland, on account of which it appears, he was put into jail shortly after his arrival in Philadelphia; that he was in jail when Mr. G. and John Jamison called at his store; that he had changed his name upon leaving Ireland; that he had excited strong suspicions against the rectitude of his intentions, in a transaction at the Custom-house, by drawing a check upon a bank where he kept no account; that he represented himself in company with Thomas McNair, which was found to be a falsehood; that Mr. Wylie advised Mr. Stevenson to have no connexion with him; that he has lately fled from Philadelphia with vast sums, that the pursuit overtook him in Baltimore, and imprisoned him in Philadelphia; and Mr. Wylie has admitted that he is in jail at present.

But I am sick, sir, of following the absurdities of Becket, and my accusers. They will speak for themselves. Becket's nefarious attempts, and the exertions of my brethren to screen his reputation, and work up his evasions, contradictions and insinuations,

into positive proof of a heinous charge, will be a reproach not easily wiped away.

My heart recoils from the scene of iniquity which appeared in open court, in the fulsome attention paid to this gentleman. If our church had been sinking, like a ship in the waves, Becket could not have been embraced with more avidity, as a rock to save her. What must have been the infuriated zeal of my prosecutors, when a stranger, wanting testimonials of his character, under public defamation, was introduced as an only witness, in a suit where he was gainer, and on a charge of the most enormous nature, again a brother minister of the gospel!

I have not a word further of the spotless Becket. I believe he was in this case a mere machine, acted upon by the passions of others. However this may be, a just providence has, since that time, developed his true character—Like other fearless sinners, “he made a pit, and digged it, and himself hath fallen into the ditch which he made!”

The proof, sir, adduced in support of the two last items of this charge, merits no reply. When the witness was asked relative to the case of Mrs. M. he answered he “knew nothing but by report.” Because it has been reported, must it therefore be true? If persons were to lose their characters, and be adjudged guilty of a crime upon report, who could be safe? Half a dozen of designing, and malicious men, might so contrive it, were they certain of escaping with impunity, to rob half the nation of their reputation. It is the business of this court to try reports, by bringing them to the touch-stone of proof, not to take reports for truth, or to imagine that people will be so duped as to conclude guilt, merely because a court can with gravity take down pages of depositions proving nothing.

A report is neither more nor less than a report. The swearing to it only proves, that such a report existed, but not the truth of the report. All that these witnesses have deposed, is no more than what I would have freely admitted upon their word, that *it was reported*, I had asked five guineas of Mrs. M. and had obtained money from Mr. Moore; I call for proof of the fact.

With regard to Mr. Moore's affair; It is too absurd to demand a moment's attention. I acknowledge the fact, that I became responsible for my brother, and my intention of paying, should he fail to do it. Mr. Moore has my note, which will compel payment in America, as well as Ireland. Were he to empower an attorney at this moment, he would recover it.

But would I even admit what I am charged with on suspicion, *i. e.* “*That I did not intend paying it,*” what would be the consequence? Still it would not be fraud. If a principal take a sum of money, without a design of paying it, he is guilty of fraud. But the same, will not apply to a surety. Is it necessary in order to evince an honest disposition, that every surety should intend

to pay the sum for which he becomes responsible? The thought is absurd. It may be fairly presumed, that not one surety, of a thousand, goes surety for another, intending to pay the sum. This indeed would make security a very rare thing. And shall that be charged to my account, under the infamous designation of swindling, which the most honest and reputable of mankind are every day practising, without a suspicion of fraud! If it would be unjust in a principal, to calculate upon the surety's payment of the debt, it would be no less preposterous in a surety to become responsible, with a design to pay it. It would be absurd, sir, to consider a surety in the light of the original debtor, or to regard him, as obligated to pay the sum, on any other supposition, than that the original debtor does not pay it. I will not insist upon this. I shall treat it with the contempt it merits. Those who dared to publish such transactions as this, with a design to criminate, ought to be punished, rather than reasoned with. It is enough, sir, that my accusers have been compelled at last, to take refuge in their own suspicions. To charge with the crime of swindling, and rest the proof upon suspicion, was indeed a desperate attempt. It was rather an extravagant mode of procedure, but perfectly harmonises with all the parts of this prosecution. My prosecutors commenced their proof with an *INSINUATION*. They terminate, with an enchanting propriety, in a *SUSPICION*.

I have thus, sir, dwelt upon the libel to an irksome length. I have done it, not because I conceived the proof adduced in support of it, required a labored defence, but to expose the fatuity of the reasoning, and the illegality of the process. Could I give credit to my prosecutors, that by procuring these charges, they wished to allow me an opportunity of exculpating myself, I should now congratulate the court and myself upon the exculpatory evidence, and faithful detail of facts, I have been enabled to offer. But I cannot flatter myself with the hope, that what I have done will produce satisfaction, while I reflect upon the general conduct of this prosecution. The clearest evidence is now before this court, to prove the libel itself is illegal, and the evidence intended to evince it, to be inconclusive. To either recapitulate, or add to what I have said, would be a prostitution of time and speech. It may be presumed, that upon the most rigid principles of justice, no criminality, as alleged in the libel, attaches itself to my conduct. I will admit it displays infirmity, but this charges no more, than what could be picked up, by any adversary, from a close inspection of any man's conduct for a single day. I am persuaded, upon a correct review of the above particulars, few will think with my prosecutors, that there were grounds for a legal process. They must be compelled to regard it, an impotent attempt to destroy character. Divested of its mask,

the prosecution exhibits a pre-determination to injure, occasioned by the rankest passions of the human heart. Had my accusers suffered themselves to be regulated by the wholesome laws of the church, not one of all the above charges would have appeared, much less the evidence adduced to support them.

Reverend Moderator—I now dismiss the libel, and with it I ought to dismiss my task. You have no authority to inculcate me any further, nor am I under any obligation to pay attention to any thing that is not contained in the libel. You know the order of the church, sir. It combines with the dictates of justice, in affirming that no court is at liberty to prefer charges against any man, without a competent time to prepare his defence. I am unable to express what I feel, when I reflect upon the mode of conduct adopted by my brethren. To call upon witnesses upon sight, without previously acquainting either the witnesses or me, that were to be called, or what they were called upon to witness, was doing me manifest injustice. But this was nothing, when compared with what follows. How shall I represent it!—My brethren, who are obligated by the relation I occupy to them, to exert themselves to procure evidence for, as well as against, to hear no reports in evidence, not to sustain reports as such, but to examine their truth or falsehood, not to offer any thing against me but in legal form; have with indefatigable perseverance and toil, drudged in collecting, not evidence but report, and have without any previous warning officially announced these reports, without any intention to have them examined, but merely to shew that a *fama clamosa*, or reports to that effect, exist. Never was there, sir, so lawless and wanton a prostitution of character. Never was there a precedent set for such conduct as this. For a court to professedly become the organ of defamation, intimating at the same time, that it had no disposition to investigate the case, that its object was merely to shew the existence of a report. What character could stand before such conduct? It is the acute affliction of good men, in all ages, to have their reputation loadened with reproach; but I shall venture to affirm, never did a judicatory of a Reformed Church, or any just court, become itself the propagator of calumny, professing at the same time, its object was not to examine whether any ground existed for the report, but only that the report itself existed. To convict upon report—what court of equity ever did so! I cannot put terms on this step of procedure, nor will it be possible to sufficiently impress my fellow men, with the complicated injustice which is done to my character.

Here, sir, are reports, purporting to have originated in Ireland, in Scotland, and America, pernicious to my character. Admit this, sir. Is it not possible that a man may be belied in one country, and that the report prejudicial to his character, may accompany him to another? Ought not the object of this court be, to

take legal measures, to ascertain whether these reports have originated in truth or falsehood? Ought they not to have allowed me some time to prepare to defend myself against them? And should the report be found to have originated in truth, would it not have been soon enough then to have constituted it a ground of judgment? But instead of this, sir, the reports are at once poured upon the attention of this court, and a crowded and reputable auditory. I hear them for the first time, in common with all who are present; if I make a defence against them it must be upon sight, and yet the scene of the report may be in Ireland, Scotland, or, at the least, in New-York, at four hundred miles distance, and this after I had twice written to my brethren, since their arrival in Pittsburgh, to favor me with a full copy of every thing which they intended to produce against me at this time. This, sir, the laws of the church obligated them to do, unsolicited; but to have neglected, after solicitation, to designedly conceal, what they were obligated in justice to communicate, and to produce it abruptly, with the most aggravated coloring, in the hearing of thousands, while they not only knew I could not make a defence, but had done so with an intention to take me at an advantage—O sir, this is too much! What soul, the least fired with generosity, independence, or a love of justice, that would not feel an honest indignation rise at such conduct as this!—The intention of the court to circulate and establish a defamatory report, without investigation, is oppressive and cruel. It is, sir, intended, I can perceive, to impose upon the minds of the spectators, by confounding report with fact. You say, when you commence this endless detail of scandal, “It is not to prove charges, but only to shew there is a report existing against Mr. G.”* But long before you have finished your papers and verbal statements, and depositions, not “to prove charges, but to shew an evil report exists,” your auditors have lost sight of your short observation, with which you set out, and are impelled into a belief, that you are establishing, not the report, but the *truth* of the charges. Indeed, sir, their own good sense compels them, contrary to your caution, to draw this conclusion. Scarcely any man of common sense, who would attribute but even a small share of credit to the motives of this court, could impose upon himself the belief, that its members should have drudged so indefatigably to collect mere reports, and spend whole days together in reading and stating what they had gathered, not to exculpate the defendant, but to lend its official sanction to defamation!

Before I proceed to animadvert upon this part of the process, let it be remembered, sir, that you have pledged yourselves, your object was only to “PROVE THAT A REPORT EXISTED;” that the **ATTACK** made upon me, in the face of the public, without pre-

* See page 94.

vious warning, or time to collect materials to defend myself, was UNGENEROUS, nay, CRUEL; and that should I not be successful in defending myself against these reports, NO JUDGMENT CAN IN JUSTICE BE GROUNDED ON IT. These things premised, sir, I shall beg the attention of the court to a few explanatory remarks. There has been alleged, sir, as an apology for this extraordinary conduct, a sentence appended to the libel, where the Presbytery reserves to itself, the power of "whatever is alluded to in the deed of Synod." But neither in this sentence, nor in the deed of Synod, is there any thing to justify this licentious attack upon my reputation. How could I gather, sir, from either of those, that letters from all parts should be presented, containing reports against me? How could I, ignorant as I must have been of what was contained under the mysterious word ALLUDED TO, like the ABRACADABRA of the ancients? How could I prepare to defend myself against it? But, sir, leaving this matter, as admitting of no apology, I feel for my assassinated reputation; and for its sake alone, not from a conviction that it is my duty to countenance these illegal proceedings, I shall attend to the rumors which my brethren have painfully collected, carried, and propagated so publicly on this occasion.

To the Irish letters, which have been read to prove the existence of pernicious reports, I have already sufficiently attended, in the commencement of my defence. The letter which is ascribed to Mr. Henderson, of Scotland, admitting it to be genuine, merits no attention. I have not the pleasure of Mr. Henderson's acquaintance. I have learned he is a good man, but, like others, no doubt liable to imposition. The character he has of me, must be through the medium of the Irish Presbytery. This accounts fully for his bitter invective. I hope he will live long enough to learn that I am not the person to whom he alludes, in language so pathetically uncharitable. Mr. Alexander and Mr. Boggs are members of the Irish Presbytery. I refer you to my strictures upon the conduct of that Presbytery, in reply to them.—But what reply, sir, shall I make to the packet of testimony presented by Dr. McLeod, purporting to have come from Messrs. Dustan, Thornton, Hone, Codman, and Steven B. Munn, New-York? Although I could not account for it, I did suspect, upon those papers being read, that they were genuine. Others have labored, since the commencement of this trial, under the same impression. It was not, until the last sederunt, when I called for these letters to have them transcribed by the clerks, I perceived the mistake. What must have been my surprise, what must be the surprise of this court, what must be the surprise of this auditory, on being informed, these papers, purporting to have come from several gentlemen in New-York, are in the hand-writing of Dr. McLeod,

* See speech before the Synod, page 34—44; and the defence, p. 122—138.

without any signature ! These pernicious, defamatory, and overwhelming papers, sir, are fabricated ! These papers, beginning with the law-phrase, Mr. Hone, Mr. Thornton, &c. *testifyeth and saith*, bearing, to be testified by those gentlemen, *in the case of the Rév. David Graham*, and ending with the pompous expression, *testified before Dr. M'Leod, minister, &c.*—These papers, sir, are every syllable in the hand-writing of one, and that is the hand-writing of Dr. M'Leod. [Here Mr. G. held up the papers in the sight of the court and auditory, calling upon them to examine them and detect the forgery.] Yes, sir, I repeat it, these testimonies, that thundered on the public ear on the evening of Tuesday last, that tore with a savage violence the character of Mr. G. have been audaciously and impiously fabricated. Detestable, unprecedented conduct ! What insanity must have seized my prosecutors ! Written testimonies, presented without authority, passing the court without detection, adverted to in summing up the evidence as legal testimony, characters given of persons both for and against, without their knowledge, gentlemen represented "*rash, passionate, too exquisitely sensible, and therefore apt at one time to contradict what they affirmed at another, deductions to be made from what they would say, &c.*" and all this by impudently thrusting their names and testimonies upon this court without their authority.* This unprecedented imposture had surprised me less, had it been acted by any other than Dr. M'Leod, who has dwelt with an overwhelming and never-ending eloquence upon my certificate in London. Here was only one paper, with no real name appended, stating truths, and framed in the most distracting circumstances, to save from perishing. There several papers are fabricated, real names of living and public persons are made use of to sanction them; they represent falsehoods, and have been framed, not to rescue from destruction, but with the savage intention to infallibly destroy ! I have not words for so complicated a villainy—Every person must think of it in a way which no power of description can equal !—Let us turn our attention to a part of the picture no less dark. It is the letter purporting to have been from John B. Murray. Should I admit, sir, that Dr. M'Leod has been successful in his application to this gentleman (the letter represents itself an answer to an application of Dr. M'Leod to John B. Murray, for a character of Mr. G.) and that the letter is genuine, not fabricated, it will do little ho-

* The court, after these fabricated testimonies were presented, proceeded with great gravity to enquire at Dr. M'Leod after the characters of the gentlemen. Some of them were represented as rash and passionate, and, therefore, great deductions to be made when in a passion—These were Dustan, Munn, Codman, and Murray ; Mr. Thornton was represented by M'Leod as a person of an exquisite sensibility, which might dispose him at one time to contradict what he said at another ; but all the gentlemen were, in general, represented as persons of veracity.

nor to my prosecutors. John B. Murray had, as that letter represents, sued me for whipping his refractory boy. My worthy friend, Mr. Thornton, became my security, a man of strict veracity and undoubted integrity, who proved a firm and generous friend, when both Dr. McLeod and his faction were laboring to injure me, by destroying his confidence in me, and the confidence of others; a man who would, in the honesty of his heart, reprove me himself, if he perceived any part of my conduct reprehensible, but would be far from giving Dr. McLeod authority to make an invidious and destructive use of his name against me. Murray, sir, who had expressed himself in his rage that he would prosecute Mr. G. to his ruin, and whose letter sufficiently disgraces him, by the revenge it discovers, and the language it employs, had entered the suit in both the civil and criminal court. His violent designs were disappointed in three courts. [Here Mr. G. presented a short narrative of the trial.] He commenced the suit in the supreme court. The letter read, says he has cast me. If it be so, the fact is recent. It is possible it is so. I shall admit it is so, and that the expenses may amount to 200 dollars. What then? Is the object of this to impute blame to my conduct? This is unjust. Before this court be at liberty to do so, it must institute the process, and try the matter legally. Will it follow that I must be criminal, because the suit has gone against me? The thought is big with absurdity. Is it to prove, as Dr. McLeod has acknowledged, that I have contracted debt in this country? This would be a detestable perversion of right. If I am involved in expenses by a law-suit, where I have stood merely upon my defence, is it not to be classed with those accidents, for which no man can be accountable? It is my misfortune, sir, not my crime. Should any merchant in this reputable auditory send a rich vessel to sea, should she be drifted against the rocks and shipwrecked, and should he be rendered incapable to meet his payments by the accident, would he not be pitied rather than blamed? And shall that be a crime in me, which no man can avoid, which was as accidental as shipwreck? Contemptible absurdity. Unhappy situation, where a man's misfortunes are introduced under the coloring of criminality.

Be assured, sir, my prosecutors shall have little cause to triumph in their correspondence with John B. Murray, as it relates to me. I had only one inveterate enemy in New-York; one whom Dr. McLeod has represented to myself as criminally obstinate in that matter; one who boasted often of his intention to ruin myself and little family, because I had the effrontery to chastise his insolent boy. It was John B. Murray. To this man, Dr. McLeod, my brother, sir, applies in his distress for something to prefer against me. He has not applied in vain. He obtained, as he might have expected, a letter replete with scurrility and bitter invective—A letter, which no man in this auditory would not think it his disgrace to acknowledge. It is, how-

ever, in unison with what went before, and let us dismiss it. To James Park's letter, urging the payment of three guineas on his father's account, and authorising Mr. Wylie to receive it, a sufficient reply will be found in my strictures upon the Irish documents.* James Wilson's letter merits no reply. It consists in bold invectives, without proof. I had seen a letter of this gentleman, a stickler of the party who had conspired against me, and as treacherous and destitute of honor in the measures to which he has had recourse, as any of them. It was addressed to an elder of my congregation. He had acted his part so well, upon my way down to the Synod, that I conceived him a warm friend. I was astonished at his villainy. This letter was stuffed with invective. I had the honor of Judge Walker's acquaintance. I wrote Judge Walker, stating my views of Mr. Wilson's conduct. I charged him with inconsistency. I knew it was probable he would see the letter. I had no objections he should. I felt pained at the idea, that Judge Walker, whose acquaintance any person in this assembly would conceive an honor, should be misled by Mr. Wilson. I was aware, that the person who could behave as he had done, would attend to no honorable limits in his animadversions. In endeavoring to defend myself against such a person, I believe I discharged a duty. That Mr. Wilson conducted himself exactly as I have represented him in his own letter, if he denies, I cannot prove. But I leave you to judge, whether it is not highly probable he did so from these circumstances:—That I stopped, and detained two other gentlemen, from Thursday until Monday, that I might gratify him in preaching on Sabbath. It is not very presumable I would have done so, when there was no obligation to any man, but to one who appeared at least a friend. It is equally improbable I should content myself so long, in the fermented state of my mind at that time, in any place, where the persons would not enter warmly into my views of the subject. It is a narrow shift, sir, to endeavor to destroy one man's reputation, by the bold assertions of another. Mr. Wilson charges me with falsehood. I charge him with both falsehood, deep deceit and deliberate injury. I charge him with assassinating my character in private, while he pretended friendship. It remains for you and others to judge, whether either be culpable, and which is so.

I am happy to have it in my power to correct the story of Baehr under which my reputation has bled, without sympathy, since December last. In May 1810, sir, I quitted New-York. I had previous to this, had an account with Mr. Baehr. I owed him a balance, for which I gave him my promissory note at six months. You, sir, and all my brethren can bear witness, that at that time it was contemplated I should settle in Baltimore, in the end of the summer, and that I was invited to accept of a

* See Narrative, page 135.

professorship in the new College. [Here Mr. G. presented letters from Mr. Knox, President of the college, stating that a place in the College had been vacated for his acceptance.] I therefore gave Mr. Baehr my address, on Union College, Baltimore. When the note became due, I was in the West. The calls were not presented for my acceptance until the 20th of November. I had accepted the call of Canonsburgh. I wrote Mr. Baehr my address. About two days before my letter arrived, he had, after finding that I was not in Baltimore, published the advertisement, which my reverend brother M'Leod has read in your hearing. Upon hearing what Baehr had done, I sent on his bill. I hold his receipt in my hand, with the note I gave him. [Here Mr. G. presented them.] I thought of punishing him, but deferred it until I went down to Synod. I called with him, accompanied with Messrs. Hazelton and Cooper, who are both present, and shall be called upon if the court think fit, to attest upon oath what passed. Baehr acknowledged he was sorry for the mistake, and proposed, should I bind myself in \$1000 security, that I would not make use of the paper he should give me, in a suit against him, he would give a paper which would present the matter in a correct point of view, and to my exculpation. I refused to give the security. He uttered himself in the presence of witnesses, with a wish I should make whatever use I chose of it, to this amount, that he regretted the mistake, that it arose from a misunderstanding, that he entertained a high opinion of Mr. G.'s integrity, and had received the payment of his bill honorably. This can be proven at this moment, if necessary. [The court did not call for proof.] My brethren, sir, could have explained these things, and therefore have defended my character from the disgrace occasioned by the licentious attack of Baehr, had they been so disposed. It was my not becoming stationary in Baltimore that occasioned it. Of this they were perfectly aware.

But as it is, I believe it will never injure my reputation. I believe there are few who will not conceive it a most disgraceful thing, to take the advantage of such an occurrence, under such circumstances as I have stated. With regard to Union College, that is the name by which I understand it. How I come by it, I will not, I cannot say. There are persons in this house, who can prove (Messrs. Hazelton and Cooper) that they heard Mr. Thornton of New-York say, that he heard me call it Union College, even after my first return in April 1810, from Baltimore. The address of my letter both to Mr. Knox and Mr. Sinclair, will shew it. One thing I cannot, I must not suppress. The very man (Dr. M'Leod) who has presented the advertisement, wrote me a letter after Baehr was paid, stating that Baehr was satisfied, that he had promised to him (Dr. M'Leod) he would counteract the advertisement, by another, that, if he had the *manliness*

to do it, he had not seen it, and advising Mr. G. against prosecuting Baehr, observing as a reason, "the matter was now buried, and there would be no use in a resurrection." [Here Mr. G. produced the letter.] Yet, sir, this is the very gentleman who has pulled this matter out of the grave, who has given it a resurrection—a resurrection under the most aggravated circumstances, after himself had allayed my thoughts on the subject, and had consigned the matter to oblivion, and myself to tranquility; after I was thereby sufficiently put off my guard, and he was aware, had renounced all designs of defending myself against it, with the help of this deceitful stratagem, it is unexpectedly produced. This, too, will punish itself. The misrepresentations relative to Mr. Sergeant, as read in court by Dr. McLeod, in his own hand-writing, have been sufficiently corrected by the deposition of Mr. Hazelton, who has represented a conversation between Mr. Sergeant and myself, wherein Mr. S. expressed himself warmly of the conviction he entertained of Mr. G's integrity.* It is not, however, improbable, sir, that Mr. Sergeant, after conversing with Dr. McLeod respecting me, may have been agitated. This is no more than might be expected. It is the only way I can account for Mr. Sergeant's inconsistency. It would appear, Mr. McLeod told him, I was not yet settled in the west, which certainly would excite some surprise on the part of Mr. S. But this will be easily corrected, sir, by assuring Mr. S. that I am settled in the west. The letter of Mr. Knox, sir, written privately to Mr. Wylie, and complaining that he had been disappointed by my not settling in Baltimore, is to be corrected by a letter which I hold in my hand. [Here Mr. G. presented a letter, from Mr. Knox, which informed Mr. G. that a place in college could not be vacated before August or first of September.†] I wrote Mr. Knox in October, immediately after my arrival in the west. His disappointment could not, therefore, be more than a month, if any thing. I had not written Mr. Knox, that I would positively fill a place in his college in August or September. If I had, it ought to be produced. But, sir, so far from my treating Mr. Knox improperly, it is the reverse. I have Mr. Wylie's letter in my hand, which will shew, that there was more than a suspicion, Mr. Knox had not treated me well. [Here Mr. G. presented the letter, containing the following remarks: "I had a letter from Mr. Knox. There was nothing in it new, only a

* See page 115.

† The letter is dated Baltimore. April 30, 1810. The part which refers to the above transaction is thus:—"The result of my conversation with Mr. Sinclair, after your departure, was favorable to you and your interests. His opinion, however, was, that it would be the first of August or September next, before you could remove, and be settled here, so as to give any regular attendance—and also before we could now with propriety, get rid of our present assistant-instructors, so as to leave a vacancy for you. In the course of that time, we think that all these obstructions, on both sides, may be removed."

promise of a place when the seminary would be more completely organized in the new building, with an assurance that this was really the design, both of himself and colleague. *He seemed sensible that this negociation with me, compared with his treatment of you, required an apology.*" The letter is dated, Philadelphia, May 7th, 1810.] This, sir, requires no comment. Mr. Wylie had forgotten I had such a letter.

It now only remains, sir, that I call the attention of the court to the deposition of Dr. M'Leod. I shall not be so invidious as to dwell upon Dr. M'Leod's swearing himself and his ancestors, to the fourth generation back, possessed of genuine piety, while almost in the same breath, he deposes, as he must be answerable to Almighty God, that I am a hypocrite. I shall proceed at once to remind my brethren of a transaction between Dr. M'Leod and myself, in the month of May, 1810, in Philadelphia. It was, as you will recollect, on the evening of the day of fasting, previous to the dispensation of the Supper. Of the members of this court were present, Messrs. Wylie and Black. Upon Dr. M'Leod and I meeting in Mr. Wylie's, it was perceived we were not happy together. Mr. Wylie, to whom I appeal for the correctness of the statement, applied to each of us in turn, to endeavor a reconciliation. Dr. M'Leod declared he had nothing in his breast against Mr. G. to prevent him from holding communion with him. It was proposed we should have an interview. The brethren met. Dr. M'Leod again declared before them, he had nothing against Mr. G. I proceeded to give a narrative of the treatment I had met with from him and his friends, during the last eight months in New-York. I shall take the liberty to recal it to your recollection. [Here Mr. G. related a story of the aid which he furnished on a sacramental occasion, in Dr. M'Leod's congregation, in the most unfavorable circumstances; and that immediately after, Dr. M'Leod despatched a letter to Mr. Wylie, presenting, in the most pathetic coloring, his own (Dr. M'Leod's) oppression on the occasion.*] Upon my restoration, August, 1809, I had been appointed by the Presbytery to supply Dr. M'Leod's congregation in his absence. I did so, for five weeks, at the end of which he returned. His conduct, and that of his friends, became insolent and insufferable. His preaching, and particularly his prayers, were generally believed by strangers, (who, often disgusted, left

* Letters of this description were posted in every direction during that winter. The writer of this has seen a letter from Dr. M'Leod, dated March 6, 1810, wherein he states, that Mr. G's aid dispensed in his pulpit, would not average at more than a discourse in the month. Why, Doctor, there are thousands can prove this to be a wilful, palpable falsehood! Let us hear what follows: "I lecture on the testimony to very crowded assemblies, on every Wednesday night." O, Doctor, this is too much, indeed it is. The matter, sir, divested of its coloring, stands exactly thus: You were lecturing on the testimony every Wednesday night, in the kitchens of Andrew Gifford and John Agnew. You might be crowded, but it was impossible you could have a crowded assembly!

the meeting-house) to consist of libellous insinuations against his brother minister. His constant theme was, the motives that might be supposed to actuate preachers. These, when applied in his prayers afterwards, in the most audacious and impious manner, to his brother preacher, left his duped people at no loss to know who the doctor meant. His low friends were continually at it, sir; and when they ran out of materials, were supplied by the Doctor. O, sir, it was a most disgraceful scene. Every thing, both sacred and common, was basely prostituted by this man and his relatives, to overwhelm the stranger. At first, it was done with a degree of cunning that eluded observation; but by and by, as the Doctor gained upon the prejudices of the people, it became more palpable. He could not treat me with common civility. I was frequently insulted in his house, and at his table. Those, whose feelings were congenial to his own, co-operated with him, in insinuating crimination, and rousing suspicions. I was frequently informed of their conduct by strangers, who at the same time requested I should take no notice of it, as the people were generally accounting for it in a way which did me honor. I continued to preach on the evenings of the Lord's days, until about the beginning of January, when the Doctor's malevolence transported him beyond all bounds. He attacked my expressions from the pulpit. His friends insulted me in the streets. They were indefatigable in their efforts to spread scandal. Those of them who had at first paid a becoming attention, so hotly the spirit of faction raged, informed me they would "no longer be friendly, for they perceived Dr. McLeod was jealous." I was compelled; during the time I aided on the Sabbath evenings, to eat my dinner sometimes at a tavern, and when I came down warm, in keenly freezing nights, found myself under the necessity of hunting the town for a close carriage, to preserve my health, and to carry me to my family, at the distance of two miles from town. I shall give you a specimen of the savage conduct of McLeod and his party. During the winter, I sustained the rupture of a blood-vessel, which confined me two weeks. I early informed Dr. McLeod. The use he made of it on the two Sabbath evenings, was to represent himself disappointed by Mr. G. and to insinuate he was badly treated. Mr. G. was at that very instant confined to his bed, and so weak, through loss of blood, he could not step across the room. This the Doctor knew. Judge, sir, what it is this man would not sacrifice to his low ambition, his drivelling popularity. The general conduct of his congregation was no less illiberal. If I except a very few,* they never once called to enquire after the health of my family, although in general, during that winter, sickness prevailed in it to a great degree. And to

* Among these few I allow a distinguished place to Mr. Daniel Fisher, merchant, to whose polite, friendly, and unremitting attention, I owe much.

fully calculated to rebut the unfounded calumny, that I am in the habit of making use of my ministry, any more than any other minister, for the purpose of procuring filthy lucre.*

I have now, sir, dismissed the *fama clamosa*. The attempts used to develop my private transactions, will meet, sir, by every enlightened and liberal mind, with the contempt it merits. The supposition, that a person, situated as I have been, could have paid debt, is preposterous. During my stay in New-York, which was only one year and five months, I did not realize more than fifteen hundred dollars. My first six months produced only five hundred. The following six promised double that sum, but failed, owing to the case of John B. Murray. The last six were spent in procuring not more than four hundred and fifty dollars. My prospects were still brilliant. I was rising triumphant from the stroke of Murray, at the time I resigned my school, and began to itinerate. My brethren have been successful in snatching me from eligible circumstances and handsome prospects. They have never had the honor to replace them. The generality of the stories of my extravagance in circulation, sir, are false. We may form a correct conjecture of how matters stood, as to report, with our brethren in New-York, by the groundless calumnies propagated in this part of the world since I arrived. While sitting at my books, I have been represented dashing about in splendor and fashion; my house garnished in the most expensive manner; my purse supplied out of the bank of Pittsburgh; enormous debts contracted in all quarters; my helpmate calumniated by extravagance and folly, and even my infants have shared the common fate of their persecuted parents. Every thing about me has been prostituted at the shrine of malevolent brethren, to give their aching heart a momentary, but a diabolical satisfaction. While my brethren have been using the most unhallowed expedients to rob me of my office, they have, in the hearing of many hundreds present, labored to blast my character as a teacher of school. Impious, inexorable malice. Not satiated yet. "The veriest gluttons do not always cram." I had thought, when I reached this peaceful and obscure country to the west, I should have found an asylum from unnatural persecution—where, in the language of the Poet,

Where from the ways of men laid safe ashore,
I'd smile to hear the distant tempest roar.

I have met with a bitter disappointment. The spirit of faction has condensed its energies around me, and threatened to

* This deposition being, upon the whole, an impious and subtle attempt to injure Mr. G. a violent attack upon the dearest rights of man, and a correct specimen of the odious measures which persons in that community are prone to have recourse to, in prostituting the character of their fellow men, the writer of this thinks proper to intimate, it shall probably meet with separate attention.